



Leeds
CITY COUNCIL

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Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 26 JUNE 2014

Subject: PLANNING APPLICATIONS

- 1. 14/01903/FU For the use of the land as a shopper's car park for a temporary 5 year period at Land Bound By Vicar Lane, Lady Lane And Templar Place Leeds LS2.**
- 2. 14/01924/DEM For a Determination for demolition of the buildings; Lyons Works, Templar Street/Templar Lane/Templar Place, 100 – 104 Vicar Lane (former Bus Station), 108 – 116 Vicar Lane, (Provident House) , 1-5 and 7 Templar Street (former Park Lane College) and 130 Vicar Lane at Land Bound By Vicar Lane, Lady Lane And Templar Place Leeds LS2.**

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

- 1. 14/01903/FU- Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate).**
- 2. 14/01924 - Defer and delegate to the Chief Planning Officer for determination for the demolition of buildings.**

Conditions for 14/01903/FU

1. Time Limit
2. Approved Plans
3. Date by which the temporary use must cease (5 years from the date of determination)
4. Removal and storage of the North Bar prior to commencement of development
5. Accordance with plan detailing short and long stay car parking areas.

6. The temporary short stay car park not to be open to the public between 0630-0930 hours Monday to Friday to discourage commuter car parking
7. Operation of a tariff structure for the short stay car parking to include a charge of no less than £25.00 for over 5 hours parking
8. Erection of signage confirming the use of the defined areas of the car park for short stay car park detailing the tariff structure and opening times
9. Details of all surfacing materials
10. Laying out prior to use of the car park
11. Submission of full landscape details
12. Submission of a landscape management plan
13. No lighting fitment to be installed such that the source of light is a hazard to users of adjoining or nearby highways
14. Submission of a bat activity survey.
15. Details of any soil or soil forming materials brought to the site
16. Notification of any unexpected land contamination encountered

All Conditions for 14/01903/FU are provided in full in Appendix 1.

No Conditions can be applied to 14/01924/DEM due to the application being a determination for demolition of buildings.

1.0 INTRODUCTION:

- 1.1 The proposals were put before Members at pre-application stage on the 27 February 2014. Members made a number of comments which are detailed in Section 5.0 below and in Appendix 2. The applications were subsequently submitted and is now brought back to Plans Panel to allow Members to consider this temporary proposal for the Phase 2 areas of the Victoria Gate site, which require the demolition of existing buildings.

2.0 PROPOSALS:

- 2.1 The proposals are a temporary scheme (for up to 5 years) to maximise the use of the existing off-street long stay (commuter) car parking areas by reordering the layout. In addition, it is proposed to introduce a number of off street short stay spaces (for shoppers and visitors) from the existing long stay spaces but also by adding new spaces to give a total short space allocation of 317. This would take the total spaces across the site from 542 to 687. Of this new total it is proposed that 28 be disabled users car parking spaces. In addition it is proposed that 30 of the total spaces will be parent and child spaces and 25 will be oversized spaces (for larger vehicles such as people carriers and 4x4s). This short stay car parking would provide replacement public short stay car parking for that lost on the Union Street car park for Phase 1 of the Victoria Gate development thereby providing car parking for the Victoria Gate business, as well the nearby Kirkgate Market, Quarry Hill and the Playhouse, the Grand Theatre and Arcade amongst others.
- 2.2 To facilitate such an increase in car parking numbers there would be a requirement to demolish some of the buildings on the Phase 2 site to create the necessary space. As such the proposal is for the demolition of, the former West Yorkshire Bus Station (100 to 104 Vicar Lane) and the attached Provident House building (106 to 118 Vicar Lane), and 130 Vicar Lane and the attached 1 to 7 Templar Street to the north western end of the site. The Lyons Works building is also included in the demolitions application but excluded from the change of use application. Details of the proposed

approach to Lyons Works are discussed in more depth below in paragraph 10.6. It is the case that the demolition of these buildings to facilitate the full retail led, mixed use Phase 2 part of the Victoria Gate scheme was approved under outline planning application 12/03002/OT.

- 2.3 The proposed scheme is largely hard surfaced in nature. All existing and new parking areas would be re-laid and set out with new surface treatments and markings to upgrade the existing parking bay arrangements. Some soft landscaping, including tree planting along Vicar Lane and the main pedestrian route through the middle of the site, is proposed. This greening would be predominantly focused around the Vicar Lane end of the site although some small areas of soft landscaping would be provided at other points across the site.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site is defined by New York Road (Inner Ring Road A58M/A64M) to the north, Templar Place to the east, Lady Lane to the south and Vicar Lane to the west. It will form part of Phase 2 of the Victoria Gate development.
- 3.2 The site contains mixture of buildings, roads and open spaces, however, a significant land use is surface car parking (2.26 hectares) with some 542 spaces. Existing buildings on the site are commonly three or four storeys in height, and are predominantly vacant and in varying states of disrepair. There are a number of Grade II listed buildings in close proximity to (but outside of) the site, these being 90-94 Vicar Lane, The Grand Arcade, the former Leeds Chest Clinic at 18 Merrion Place, 1 and 3 The Headrow, 2 to 12 the Headrow and 2 to 8 Eastgate.
- 3.3 Buildings of note on the site are the vacant Saxon Hawke House (Lyon Works), a former clothing factory constructed in 3 phases between 1914 (northern end adjacent to Templar Street) and 1937 (southern end adjacent to Lady Lane). This building has been deemed to be immune from Listing by English Heritage. To the west of Templar Lane, Templar House is a Grade II Listed Building constructed as a chapel in 1840. The building has been unoccupied for some time and is in a poor physical condition with no remaining internal features of interest. The Templar Hotel, at the junction with Templar Street, is a mid-late 19th Century building still in use as a public house. 100-104 Vicar Lane originally formed part of the West Yorkshire Bus Station but is now vacant.
- 3.4 The existing off-street car parking spaces across the site are currently all long stay parking. A large proportion of these car parking spaces to the northern side of the site have been recently contracted to one company and as such are no longer available for general use. There is short stay on-street parking on Templar Street, Templar Lane, Templar Place, Lady Lane and Edward Street, totalling 97 spaces.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The original outline planning permission for the previous Victoria Gate development scheme (06/03333/OT) was granted consent on 24th August 2007 and permission was extended on 9 July 2010 (10/01477/EXT). Subsequently a revised scheme was submitted under outline planning application 11/0100/OT for major redevelopment, including demolition, involving mixed use to provide retail stores, restaurants, bars and offices (A1, A2, A3, A4, A5 and B1 Use Classes), gym (D2 Use Class), medical centre, crèche, multi-faith prayer room (D1 Use Classes), changing places toilet facilities, with new squares and public realm, landscaping, car parking and associated

highway works. This was approved on 6 September 2011. A Non Material Amendment planning reference 12/9/00055/MOD to amend the description to refer to leisure use (D2 use class) instead of gym (D2 use class) was approved on 4 April 2012.

- 4.2 A subsequent Section 73, Variation of Condition application, planning reference 12/03002/OT, was submitted seeking the variation of condition 3 of planning permission 11/01000/OT to allow for Leisure Use (D2 use class) and Casino Use (sui generis) as part of a retail-led mixed use development. This application was approved on 30 October 2012. A Non Material Amendment planning reference 12/9/00098/MOD to amend the description to add in Casino Use (Sui Generis) was also submitted in parallel to the Variation of Condition application (12/03002/OT) and this was approved on 2 October 2012.
- 4.3 Approval was granted for a trio of applications covering Phase 1 of the Victoria Gate development to the south side of Eastgate, on 9 January 2014. These applications were for:
1. 13/02967/FU - Major mixed-use, retail-led development including the demolition of all buildings and construction of retail (use classes A1, A2, A3, A4, A5), leisure (use class D2)/casino (sui generis), public realm works and landscaping,
 2. 13/02968/FU - Demolition of Millgarth Police Station and the erection of a multi-storey car park and associated landscaping, means of access and highway works and
 3. 13/02969/RM - Reserved matters approval for Plot HQ1 (to be occupied by John Lewis) of the outline planning permission, at Land Bound by Eastgate, George Street and Millgarth Street, Leeds, LS2.
- 4.4 Discussions regarding the current scheme commenced in November 2013 and have been undertaken with Officers to consider the proposed demolitions, the impact of the proposal on nearby designated and non-designated heritage assets and the street scene, the layout, amount and type of car parking, the design and materials, key views particularly those along Vicar Lane, pedestrian routes and connectivity and green landscaping, access and the impacts on the highways network.
- 4.5 Members will recall that there were comments from Leeds Civic Trust on the Phase 1 applications 13/02967/FU, 13/02968/FU and 13/02969/RM with regard to any temporary use of the Phase 2 area of the overall site. Leeds Civic Trust stated that they considered that the buildings on this part of the site should be reused and that there is sufficient car parking in the area and around the edges of the City Centre already. They suggested the creation of a temporary city centre park combined with the retention of the existing buildings and car parking.
- 4.6 Also of relevance are two certificates of lawful use for long stay car parking on the Phase 2 site, planning references 20/558/01/CLU and 20/560/01/CLU both approved on 25 June 2002

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 A pre-application presentation was given to Members at the City Plans Panel on 27 February 2014. The presentation focused on the impact of the proposal on nearby designated and non-designated heritage assets and the street scene, the layout, amount and type of car parking, the design and materials, key views particularly those along Vicar Lane, pedestrian routes and connectivity and green landscaping, access and the impacts on the highways network. Members made the following

comments:

- regarding the justification for the demolition of Lyons Works, the former West Yorkshire Bus Station and the other named buildings, there was majority support for the demolition of the Bus Station and complete support for the demolition of the other named buildings on Vicar Lane.

- Regarding Lyons Works, it was noted that permission to demolish this building had been granted as part of a different scheme and that in the circumstances where the original permission was not proceeding, that consideration be given to requesting the retention and re-use of Lyons Works without the modern extension

– On the issue of the use of the space as a car park, this could be accepted if the period of time for this use did not exceed 5 years, with the provision of a temporary car park to a higher standard being welcomed

– On the reconfigured and additional short stay car parking numbers and the required Stopping Up, these matters were acceptable as were the associated loss of on-street short stay car parking and the proposal for there to be financial compensation

– That the landscaping proposals were progressing positively; that a high quality scheme was expected and for the landscape treatment to the Vicar Lane edges, in particular, to adequately maintain the sense of enclosure of the street, preserve the character of nearby designated and on-designated heritage assets and add positively to views along Vicar Lane on a temporary basis

- Members also highlighted the need for the safe removal and retention of the North Bar stone to be tied down and for urgent repair works to be undertaken to Templar House.

5.2 Full minutes from the Plans Panels of the 27 February 2014 can be found in Appendix 2.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The full planning application (14/01903/FU) for the use of the land as a shoppers car park for a temporary 5 year period was publicised via Site Notices posted on 11 April 2014 expiring on 2 May 2014 and in an edition of the Yorkshire Evening Post printed in the week of 17 April 2014.

6.2 The determination for demolition application (14/01924/DEM) for the demolition of buildings was publicised via Site Notices posted on 28 March 2014 expiring on 19 April 2014 and in an edition of the Yorkshire Evening Post printed in the week of 17 April 2014.

6.3 Ward Members were consulted formally on 4 April 2014. No responses have been received to date.

6.4 Comments have been received from the Head of Markets at Kirkgate Market on 28 April 2014 stating that they are supportive of the proposals.

6.5 Comments have been received from Leeds Civic Trust on 28 April 2014 stating that they object to the demolition of the buildings prior to the construction of any permanent development on the site. The Trust state they have strong concerns about the loss of Lyons Works in particular, which they consider has significant merit and could be retained. They are supportive of other aspects of the proposals, these being the tidying up and landscaping of the site, but state that a wider landscape strip should be designed adjacent to Vicar Lane, a commitment to planting semi-mature trees is required, and the enhancement of the setting of Templar House should be considered. The Trust ask if there is potential for solar powered equipment on site

and that drainage be a sustainable system.

Response: the matters raised will be addressed as part of the appraisal below.

- 6.6 Comments have been received from Rushbond PLC on 12 May 2014 stating that there is an opportunity to dramatically enhance the landscaping along the eastern edge of the site and at the corner of Vicar Lane and the Ring Road (A58), which is a gateway location. The linkages with the Vicar Lane footpath need to be considered. There is an opportunity to plant some semi-mature specimen trees. Any lighting scheme needs to consider amenity impacts and bound gravel should be considered as a surfacing treatment in the car park areas. They also state it is important that the two applications submitted are linked together to ensure the demolitions do not occur without the proposed environmental enhancements coming forward.

Response: the matters raised will be addressed as part of the appraisal below.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

- 7.2 Highways state that they have no objections to the submitted revised demolitions statement but advised that the Applicant will require a number of Highways Licences and temporary Traffic Regulation Orders to undertake the demolition works due to the requirement to hoard of areas of the public highway.

- 7.3 Mains Drainage state that they have no objections to the proposals.

7.4 Non-statutory:

- 7.5 Conservation state that the loss of the buildings along Vicar Lane would weaken the urban context of the nearby City Centre Conservation Area but should be weighed against the public benefits of the proposal. With regard to the loss of Lyons Works the Officer advises that the building whilst being exempt from Listing, has significant value to Leeds and they questions whether or not the viability information has been based on comparable schemes in the vicinity such as Crispin House.

- 7.6 Landscape state that the spread of soft landscape elements is too concentrated to the western end of the site and there needs to be further focus to the east also, the new trees are welcomed but details need controlling regarding state of maturity, species, soil volumes and the number of trees. Proposed bench hedges need to be planted as mature specimens to ensure they provide the appearance of full hedges. These matters and the management of the landscaped elements need to be controlled via planning conditions.

- 7.7 Nature Conservation state that there is low bat potential within the site and as such a bat activity survey can be addressed via a Planning Condition rather than prior to determination.

- 7.8 Land Contamination Team state that any decision should be conditioned to cover the details of any soils or soil forming materials being brought onto site, and any unexpected contamination that may be encountered.

- 7.9 City Centre Management Team No response received to date

- 7.10 Asset Management No response received to date

7.11 Access Officer No response received to date

7.12 Architectural Police Liaison Officer advises that the scheme will need to comply with the requirements of Secure By Design, Crime Prevention Through Environmental Design, 'Crowded Places' The Planning System and Counter Terrorism and Protecting Crowded Places Design and Technical Issues 2012.

8.0 PLANNING POLICIES:

8.1 National Planning Policy Framework (NPPF)

8.2 The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied. This national planning policy document is likely to be of relevance in considering the schemes proposed progression. The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses such as retail. The document also promotes economic growth in order to create jobs and prosperity

8.3 Paragraph 135: the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.4 Leeds Unitary Development Plan Review 2006

8.5 The UDPR includes policies requiring that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, and access for all are addressed through the planning application process. The application site lies within the designated City Centre. Relevant policies include:

8.6 Policy SA8 (Strategic aim to provide safe and easy access for all)
Policy A4 (Access for all)

Policy ARC4 (Presumption in favour of physical preservation in areas of archaeological value)

Policy CC3 (Maintaining the identity and distinctive character of the city centre)

Policy CC17 (highlights the need for additional short stay car parking close to the Prime Shopping Quarter including the Templar Street area)

Policy GP5 (Development control considerations, including highways, to be resolved)

Policy GP11 (development must meet sustainable design principles)

Policy LD1 (identifies requirements for landscape schemes)

Policy N25 (Boundaries of sites to be designed in a positive manner)

Policy T2 (New development not to create or add to highway problems)

Policy T5 (requires safe and secure access for pedestrians and cyclists)

Policy T6 (requires satisfactory access and provision for disabled people)
Policy T24 (identifies parking requirements within UDPR Volume 2)
Policy T24A (Refers to presumption against off site long stay parking)
Policy T26 (Presumption in favour of car parks in the core parking policy area for short stay users unless there is insufficient demand)
Policy T28 (manages the growth of long-stay commuter car parking)

Policy CCP2(i) (Non commuter parking will generally be acceptable; a planning condition will preclude use before 0930 hours)

Although Policy CCCCPC is not relevant in this instance the principles with regard to the landscape scheme established in this policy can be considered to be appropriate here, these being:

Physical improvements to the quality and appearance of the car park. Improvements may include the following: i) an attractive surface, making use of sustainable urban drainage solutions, ii) clear space markings, iii) appropriate landscaping, iv) security lighting, v) attractive means of enclosure and boundary treatment and vi) appropriate signage in terms of size and location. Physical improvement works and a maintenance programme should be agreed in writing with the City Council prior to planning permission being granted and implemented before commencement of operation of the car park,

Proposal Area 16 – Templar Street

The Statement comments that the site has potential for retail development with the Vicar Lane frontage having particular potential for retailing. There is also scope for subsidiary uses, particularly leisure and entertainment, and significant office use above ground floor. Catering uses would also complement the neighbouring Entertainment Quarter, and residential uses which would not prejudice the retail and leisure function would also be appropriate. The area also represents a major opportunity for public short stay parking. Pedestrian linkages to the Vicar Lane and Eastgate are noted as being particularly important. Public space should also be provided in any scheme.

8.7 **Draft Core Strategy (DCS)**

8.8 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.

8.9 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design. Development should protect and enhance locally important buildings, skylines and views.

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

The Victorian and Edwardian civic and public buildings, theatres, arcades, warehouses and offices within the city centre and the urban grain of yard and alleys. The nationally significant industrial heritage relating to its textile, tanning and

engineering industries, including factories, chimneys and associated housing.
The legacy of country houses, public parks, gardens and cemeteries.
The 18th century transport network, including the Leeds and Liverpool Canal.

8.11 Policy T1: Transport Management states that support will be given to the following management priorities:

(iii) Parking policies controlling the use and supply of car parking across the city:
a) To ensure adequate parking for shoppers and visitors to support the health and vitality of the city and town centres.

8.12 **Supplementary guidance**

8.13 Building for Tomorrow Today – Sustainable Design and Construction.

8.14 The Leeds City Centre Urban Design Strategy (September 2000)

The application site falls within the Retail and Entertainment Area (Study Area 2) of the City Centre Design Guide. Pages 78-79 of the Design Guide highlight the aspirations and issues for the area. Some relevant key aspirations are highlighted as follows:

Realise potential for redevelopment of temporary car park areas

Retain and enhance the mixture of new and old buildings

Improve links to other Quarters

Preserve and enhance fine grain

Retain and enhance the existing character of strong street frontages

Preserve and enhance the quality of priority and permeability for the pedestrian

Preserve and enhance views

Provide and enhance spaces

Encourage lively activity and discourage perceived privatisation of shopping streets

Improve clear edges

8.15 Eastgate and Harewood Supplementary Planning Document

The Eastgate and Harewood Supplementary Planning Document (SPD) was adopted in October 2005. The SPD was prepared to supplement the guidance in the adopted UDP for the Eastgate and Harewood Quarter. The SPD provides 12 principles to guide the redevelopment of the Eastgate and Harewood Quarter and those of relevance are:

Enhance the public realm through pedestrianisation or street closures if necessary, and encourage pedestrian linkages from the site to the market, river, Sheepscar, Mabgate, Victoria Quarter and Quarry Hill, integrated into the existing fabric of the city centre.

Restrict access to through traffic using local streets and where possible, integrate the traffic displaced by, and accessing, the development into the improved highway network in recognition of safety and capacity constraints.

Preserve where both practical and appropriate, existing historic assets and their settings.

8.16 **Natural Resources and Waste Local Plan 2013 (NRWLP)**

8.17 One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 is that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

9.0 MAIN ISSUES:

1. Principle of the demolitions and heritage
2. Principle of the proposed use
3. Impact on highway safety, access and connectivity
4. Public Realm and Landscaping
5. Equality

10.0 APPRAISAL:

10.1 Principle of the demolitions and heritage

- 10.2 Members will be aware that Permitted Development rights exist for the demolition of buildings of this nature, under part 31 of Schedule 2 the Town and Country Planning (General Permitted Development) Order 1995 (GDPO). As a result the determination for demolition application 14/01924/DEM has been submitted to the local planning authority to decide whether the authority requires prior approval of the method of demolition (in line with the conditions to part 31 of the GDPO) and environmental improvements and making good of the site only. The principle of the demolitions is established by the permitted development rights.
- 10.3 The buildings shown as proposed for demolition to bring forward the proposal are, Lyons Works and the former West Yorkshire Bus Station, which are defined in the Conservation Strategy (HUK17) of the 2011 Outline Planning Application (11/01000/OT) for the Victoria Gate scheme as a non-designated heritage assets and Provident House (106 to 118 Vicar Lane), 130 Vicar Lane and 1 to 7 Templar Street, which are not afforded the same importance in this approved document.
- 10.4 Members will recall that there was majority support for the demolition of the Bus Station and complete support for the demolition of Provident House (106 to 118 Vicar Lane), 130 Vicar Lane and 1 to 7 Templar Street when the scheme was presented them at pre-application stage on 27 February 2014. However the Developer was asked by Members to consider what other options there were for Lyons Works, which would allow it to be retained and reused. Lyons Works is considered to be a non-designated heritage asset of some quality, which is of significant note and value in the understanding the growth of the garment industry in Leeds.
- 10.5 The Applicants have submitted a Development Viability Summary report which looks at the value of the site and assessed the viability of using Lyons Works for residential or as a mixed use office and retail scheme. The report concludes that either proposed use would result in a negative land value if implemented.
- 10.6 The Applicants have also stated in a letter to the Chief Planning Officer dated 9 June 2014 that as a result of the strength of feeling regarding Lyons Works they proposed the scheme to be as follows:
1. The change of use application for temporary car parking is amended to remove Lyons Works from the drawing thereby removing the potential to use the land for car parking.
 2. The demolition application still contains Lyons Works as one of the buildings proposed for demolition but with Hammersons stating in their letter that the building

would be retained for a minimum period of 18 months to allow for the future development of the Phase 2 site to be fully considered.

It is considered that this is the best outcome that can be achieved in view of the permitted development rights that establish the principle of the demolitions.

10.7 Principle of the proposed use

10.8 The existing site has historic use for long stay car parking (under planning references 20/558/01/CLU and 20/560/01/CLU) on all currently hard surfaced areas with the exception of the public highways and the former West Yorkshire Bus Station. The proposal would be a combination and reconfiguration of the existing long stay (commuter) car parking (some 542 spaces) and new short stay (shopper) parking provision (of at least 145 additional spaces) giving a new total of 687 parking spaces. Leeds Unitary Development Plan Review 2006 (UDPR) Policy T26 recognises the importance of short stay car parking in the City Centre and supports proposals for such car parking within the defined core car parking policy area.

10.9 In addition the UDPR Proposal Area 16 – Templar Street statement advises that the area presents a major opportunity for public short stay car parking linked to new developments in the area. The proposed increased and reorder car parking would provide parking spaces for not only visitors and users of the nearby Phase 1 of Victoria Gate which is currently under construction, but also for Kirkgate Market, the Playhouse, the Grand Theatre and Opera North and also businesses in the Grand Arcade amongst others. As such the principal of providing short stay car parking accords with planning policy. The proposals would not increase, and in fact would reduce the existing numbers of long stay car parking spaces (from 542 down to 370 long stay spaces) on the site. As a result the proposals would be compliant with UDPR Policies T24A and T28.

10.10 Impact on highway safety, access and connectivity

10.11 The proposed reorganized and increase parking would result in;

Type of Parking	Numbers	Sizes
Standard bays	604	2.4m by 4.8m
Disabled bays	28	3.6m by 6m
Parent and child bays	30	3.6m by 4.8m
Large vehicle bays	25	3m by 4.8m
Total	687 (of which 370 are long stay and 317 are short stay)	

These car parking bays would, as shown in the table, be divided by long (commuter) and short (shopper) stay designation. As a result the existing long stay (commuter parking) provision to the northern most car park adjacent to the Inner Ring Road (to be called Victoria Gate North) would be retained and reconfigured providing 370 long stay spaces. Some of the existing long stay parking will become short stay (shopper parking) and with proposed additional short stay spaces the overall proposals for short stay parking would be to provide a total of 317 spaces. This results in the total of 687 parking spaces.

10.12 Pedestrian access to the site would be provided at all sides and corners with the exception of the north west corner where there is a levels change which would make

this difficult.

- 10.13 To assist vehicles to access and egress the site it is proposed to make the Vicar Lane end of Templar Street into a two way street from its current one way status. North Court will also be used for accessing the disabled car parking which would sit adjacent, and at level, to Vicar Lane. It is considered that the proposed increase in parking numbers would not have a detrimental impact on the capacity of the highways network in the City Centre and surrounding areas. The management, control of hours for the long stay and short stay car parks and the pricing structure will be controlled via planning conditions.
- 10.14 Public Realm and Landscaping
- 10.15 As a result of the proposals being to increase upon and reorder the existing car parking layout on the site, the proposed landscaping would be largely hard surfacing with soft landscaping to the edges of the site and routes through it. The hard surfaced areas would be treated with either reinforced gravel, tarmac or graded aggregate for the parking bays, and a vehicle loaded asphalt surface for the roads between the bays.
- 10.16 The most substantial area of soft landscape features would be to the Vicar Lane frontage. Here an avenue of trees is proposed to create a green edge to the street. These trees will sit within a wider soft landscape buffer containing ornamental hedging and low growing evergreen shrubbery. Seating is also proposed within this green band and would be positioned in good proximity to existing bus stops.
- 10.17 A defined tree lined pedestrian boulevard is proposed running north-south across the site to link the route through the site with the adjacent Lady Lane and on towards Eastgate. The site falls significantly from west to east and as such is sectioned at points by boundary walls. These existing walls would be refaced with gabion baskets using reclaimed stone.
- 10.18 The site would be edged by hedging and timber fencing to the eastern boundaries, and timber fencing only to the northern and southern boundaries of each area of car parking. Pedestrians access points, with pay point machines and lighting, are proposed to the eastern, western and southern boundaries. The details of lighting, signage and wayfinding will be controlled via planning condition.
- 10.19 With regard to Lyons Works, following the building's delayed demolition, the site would be bounded by a low rise fence (wooden posts with a wooden knee-height rail between). The basements would be filled in and overlaid with 300mm of top soil to bring the site level to the level of the surrounding land. Any soil brought to the site would be fully tested in accordance with the land contamination requirements. Wildflower and grass seeds will be sown into the soil, which is sufficiently deep to ensure a wildflower meadow to grow until such time as thorough development of the site comes forward. This proposed remediation of the site would complement the proposed landscaping as part of the car park works along Vicar Lane by providing an attractive albeit temporary setting.
- 10.20 Equality
- 10.21 The Council has a general duty under section 149 of the Equality Act 2010 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality

Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity, this is evident in UDPR policy SA8.

- 10.22 It is the case that the development proposal would be open for use by all and intends to provide public car parking that benefit the local and wider community.
- 10.23 Further to this as stated earlier in this report 28 of the 687 car parking spaces would be for disabled car use, with 30 spaces being for parent and child spaces and 25 being for oversized vehicles, all in accessible locations. The scheme also proposes an access strategy which aims to make all elements of the new development as accessible as possible with particular regard to level footways and thresholds onto the site, wayfinding and signage and appropriate lighting. Detailed matters of access arrangements will also follow under Planning Conditions and via Building Regulations.

11.0 CONCLUSION:

- 11.1 The proposals would provide an increased number of short stay/shopper car parking spaces, as well as retaining an element of established long stay parking. This would help to reinforce footfall in the area by providing parking not only for Phase 1 of the Victoria Gate scheme but also for neighbouring facilities and venues including Kirkgate Market, The Grand Theatre and Grand Arcade, the Playhouse and other artistic and entertainment venues on Quarry Hill. The proposed reordering of the site and hard and soft landscape scheme will be an aesthetic improvement on the current appearance of the existing surface car parks on the site. As such the proposals are recommended for approval.

Background Papers:

Planning Application 11/01000/OT
Non Material Amendment 12/9/00055/MOD
Planning Application 12/03002/OT
Non Material Amendment 12/9/00098/MOD
Planning Application 13/02967/FU
Planning Application 13/02968/FU
Planning Application 13/02969/RM
Planning Application 14/01903/FU
Determination for Demolition Application 14/01924/DEM

Appendix 1 – Conditions for planning application 14/01903/FU

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

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

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

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

3) The use hereby permitted shall be discontinued on or before XXXXX.

As permanent use of the site for car parking is not appropriate and so as not to prejudice future redevelopment of the site.

4) Prior to the commencement of any works the North Bar which is located in the Vicar Lane façade of the former West Yorkshire Bus Station shall be carefully removed from the building and safely stored for future reuse in accordance with details to be agreed in writing with by Local Planning Authority.

To ensure preservation and re-use of this important historic feature and in accordance with the National Planning Policy Framework and Leeds UDPR policy ARC4.

5) The defined areas of short stay and long stay car parking shall be laid out in accordance with the approved drawing reference Proposed Car Park Site Plan (90) dated 16 June 2014 and shall be retained and maintained thereafter as such.

In order to discourage the use of the temporary short stay car parking as commuter car parking and in accordance with UDP Review policies T24A, T28 and CCP2.

6) The temporary short stay car park use hereby approved shall not be open to the public between 0630-0930 hours Monday to Friday.

In order to discourage the use of the temporary short stay car parking as commuter car parking and in accordance with UDP Review policies T24A, T28 and CCP2.

7) The temporary short stay car parking hereby approved shall be operated in accordance with a tariff structure which shall include a charge of no less than £25.00 for over 5 hours parking.

In order to discourage the use of the temporary short stay car parking as commuter car parking and in accordance with UDP Review policies T24A, T28 and CCP2.

8) Prior to the use of the short stay car park a sign(s) shall be erected which shall confirm that the short stay car park is for use solely as a short stay car park with a tariff structure that results in a charge of no less than £25.00 for over 5 hours parking. Details of the location and appearance of the sign(s) shall first be submitted to and approved in writing by the Local Planning Authority.

In order to discourage the use of the temporary short stay car parking as commuter car parking and in accordance with UDP Review policies T24A, T28 and CCP2.

9) No works shall take place until details and samples of all surfacing materials to the temporary car parking areas have been submitted to and approved in writing by the Local Planning Authority. The surfacing works shall be constructed from the approved materials.

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

10) The car park shall not be used by vehicles until all areas including the site access and parking spaces have been fully laid out, surfaced and drained in accordance with the submitted details. These areas shall thereafter be maintained as such for the lifetime of the development.

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

11) Development shall not commence until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include

(a) proposed finished levels and/or contours,

- (b) boundary details and means of enclosure,
- (c) car parking layouts,
- (d) other vehicle and pedestrian access and circulation areas,
- (e) hard surfacing areas,
- (f) minor artefacts and structures (e.g. furniture, signs, lighting etc.),
- (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (h) planting plans
- (i) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

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

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

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

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

13) No lighting fitment shall be installed on the site in such a way that the source of light is a hazard to users of adjoining or nearby highways.

In the interests of highway safety and in accordance with the National Planning Policy Framework and Leeds UDPR Policy GP5.

14) Prior to the demolition of or works to Buildings B1 and B4 (as shown on Figure 2 (Habitat Features Plan) of the Ecological Appraisal dated March 2014 by Waterman Energy, Environment and Design Ltd.) an up to date bat activity survey will be carried out between May and September inclusive by a licensed bat surveyor. The bat survey will consist of a minimum of one dusk and one dawn survey (with at least 24 hours between the dusk and the dawn survey) as per the (Minimum Standards for Bat Surveys in West Yorkshire)

Prior to the demolition or works to Buildings B1 and B4 a Bat Mitigation Method Statement will be submitted and agreed with the LPA for the subsequent works detailing how any potential harm to bats will be avoided. The Bat Mitigation Method Statement will then be implemented in full.

To confirm presence or likely absence of a protected species (bats) and ensure works are carried out to avoid adverse harm to a protected species and in accordance with the National Planning Policy Framework and Leeds UDPR Policy GP5.

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

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination in accordance with national and Leeds City Council's planning guidance.

16) The local planning authority shall be notified in writing immediately where unexpected significant contamination is encountered during any development works and operations in the affected part of the site shall cease.

Where remediation of unexpected significant contamination is considered by the Local Planning Authority to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the

recommencement of development on the affected part of the site. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

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

To enable the local planning authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be suitable for use in accordance with national and Leeds City Council's planning guidance.

Appendix 2 - Plans Panel Minutes of 27 February 2014 relating to preapplication scheme for 14/01903/FU and 14/01924/DEM.

Preapp/14/00015 - Pre-application presentation for the demolition of a number of existing buildings to allow for the temporary reconfiguration of and addition to the existing car parking (increase in spaces from 542 to 824) and associated hard landscaping - Victoria Gate - Phase 2 Car Park - Land bounded by Vicar Lane, Lady Lane, Templar Place and the Inner Ring Road LS2

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

Members considered a report of the Chief Planning Officer outlining proposals for the temporary reconfiguration of existing off-street car parking and the addition of 281 additional off-street car parking spaces and landscaping on the phase 2 section of the Victoria Gate site. Members also received a presentation on the proposals on behalf of the applicant

The following information was provided:

- the proposals were for a temporary scheme for an estimated period of up to 5 years to maximise the use of existing off-street car parking; provide further parking for shoppers and visitors and to replace public parking from the Union Street car park which would be lost when building works for phase 1 of Victoria Gate commenced in April 2014
- there was a need for high quality car parking in Leeds and this had been identified as an issue which prevented people from visiting the city
- there was the opportunity to improve a part of the city which was in poor repair and although the works were temporary, they would be of high quality and would improve the feeling of safety in this area
- that several buildings would need to be demolished although approval for these demolitions had been granted as part of the outline approval for Victoria Gate
- a pedestrian spine, using resin bound gravel and bounded by trees and lighting columns would be created from the market to Templar Street. A green buffer, 4 metres wide, with nooks for seating would be provided at Vicar Lane. To create this effect semi-mature trees would be used. Gateway spaces (foyers) would also be provided around the site on key pedestrian desire lines to the surrounding area. Pay machines would be located at the foyers

- in terms of car parking surfacing treatments, various options were being considered including a cellular system

Members discussed the proposals and commented on the following matters:

- the timescale for the temporary scheme, with the hope that within 5 years phase 2 of the permanent Victoria Gate development scheme would be progressing
- there were no guarantees that if approved, the applicant would not then sell the site

- the extent of the demolition works to be undertaken
- whether the proposals could lead to flooding of the nearby beck
- whether parent and child parking spaces would be provided
- the price rates for parking
- the maintenance of the landscaping
- the width of the car parking bays and the need to ensure these could accommodate larger vehicles and 4x4s
 - security issues, particularly on an evening; that people currently loitered in the car park and the need for this to be addressed so as not to deter its use
 - how long stay parking would be discouraged
- Templar House; the need for a vision to be provided for this Grade 2 Listed Building; that the condition of the building had been left to deteriorate and that the building should be repaired
 - the need for the North Bar Stone on the site to be practically protected, carefully removed and safely stored
 - the future of Lyons Works; that a finely balanced decision had been reached regarding its loss on the original outline approval in view of the greater good which would be achieved from that scheme, with concerns being raised that the demolition of the building to make way for a City Centre car park for possibly up to 5 years was not acceptable
 - the loss of the Bus Station, with mixed views on the worthiness of retaining this example of post-war architecture
 - that the buildings attached to the Templar Pub should be demolished
 - the size of the car park, with concerns that due to its scale and the possible length of time it would be in operation that Vicar Lane would cease to exist as an area of character within the City Centre
 - the positive signs for the first phase with work close to commencing and the need for a period of up to 5 years for additional parking when the multi-storey car park for John Lewis would be completed in Autumn 2016
 - the need for Members to understand the timescales for phase 2 of Victoria Gate and that from the information provided, there was no sense that phase 2 would move along quicker if these proposals were agreed to

The Chief Planning Officer stressed the importance of achieving a successful regeneration of this part of the City Centre. In terms of context, Members were informed that more retail development was taking place in Leeds than in any other city, yet despite the gradual regeneration of The Grand Arcade, this part of the City Centre was vulnerable. It was important for the theatres to thrive and for phase 1 of Victoria Gate to take off and it was not unreasonable for there to be some uncertainty

In terms of Lyons Works, the building was exempt from listing and could be demolished immediately, however the Chief Planning Officer was of the view that the comments made by Members would be taken back to the applicant for consideration. The need for assurances on the future of Templar House was stressed

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

- regarding the justification for the demolition of Lyons Works, the former West Yorkshire Bus Station and the other named buildings, there was majority support for the demolition of the Bus Station and complete support for the demolition of the other named buildings on Vicar Lane. Regarding Lyons Works, it was noted that permission to demolish this building had been granted as part of a different scheme and that in the circumstances where the original permission was not proceeding, that consideration be given to requesting the retention and re-use of Lyons Works without the modern extension

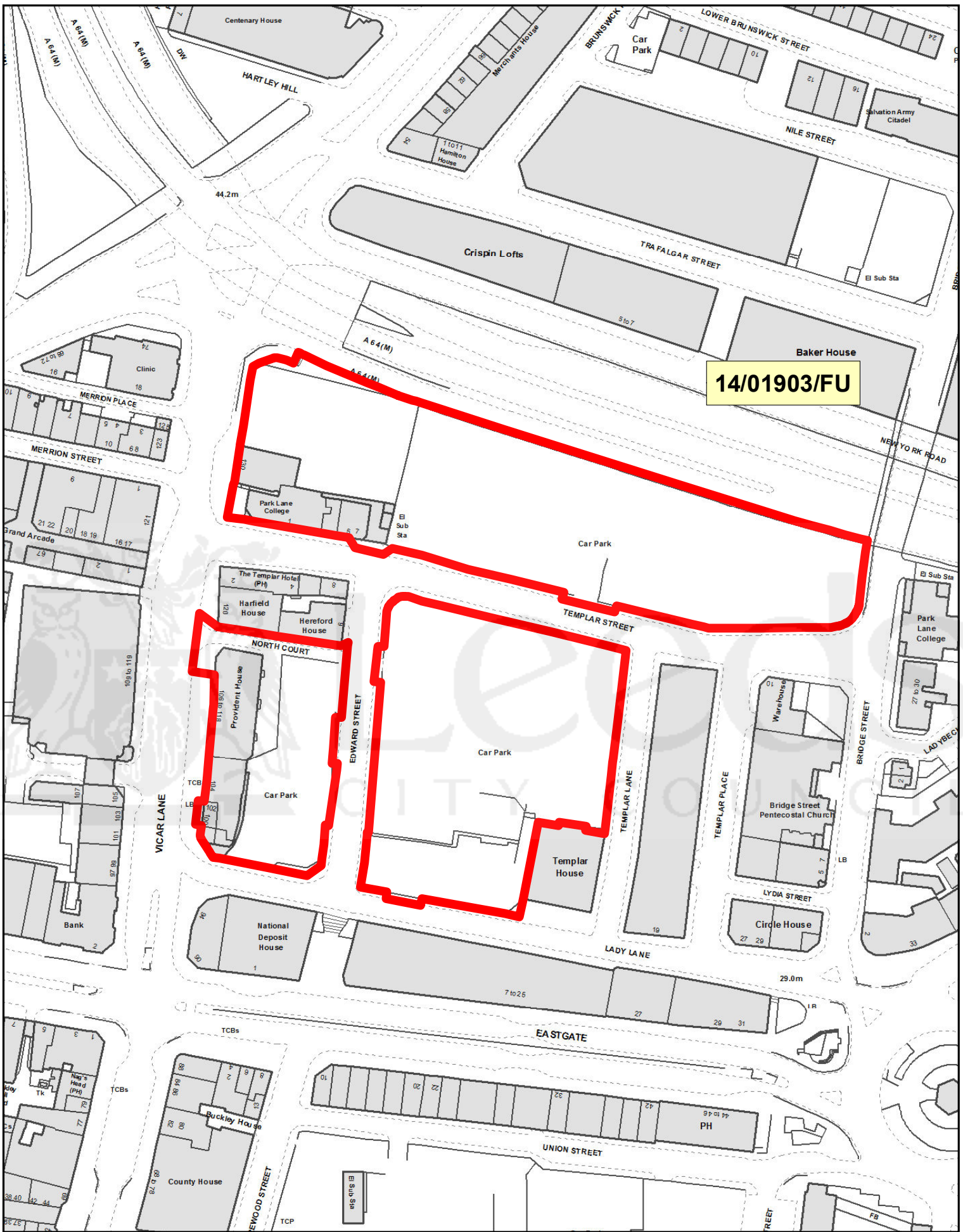
- on the issue of the use of the space as a car park, this could be accepted if the period of time for this use did not exceed 5 years, with the provision of a temporary car park to a higher standard being welcomed

- on the reconfigured and additional short stay car parking numbers and the required Stopping Up, these matters were acceptable as were the associated loss of on-street short stay car parking and the proposal for there to be financial compensation

- that the landscaping proposals were progressing positively; that a high quality scheme was expected and for the landscape treatment to the Vicar Lane edges, in particular, to adequately maintain the sense of enclosure of the street, preserve the character of nearby designated and on-designated heritage assets and add positively to views along Vicar Lane on a temporary basis

Members also highlighted the need for the safe removal and retention of the North Bar stone to be tied down and for urgent repair works to be undertaken to Templar House. On this matter, the Chief Planning Officer proposed a site visit with Officers and the applicant to also view the interior of Templar House

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



14/01903/FU

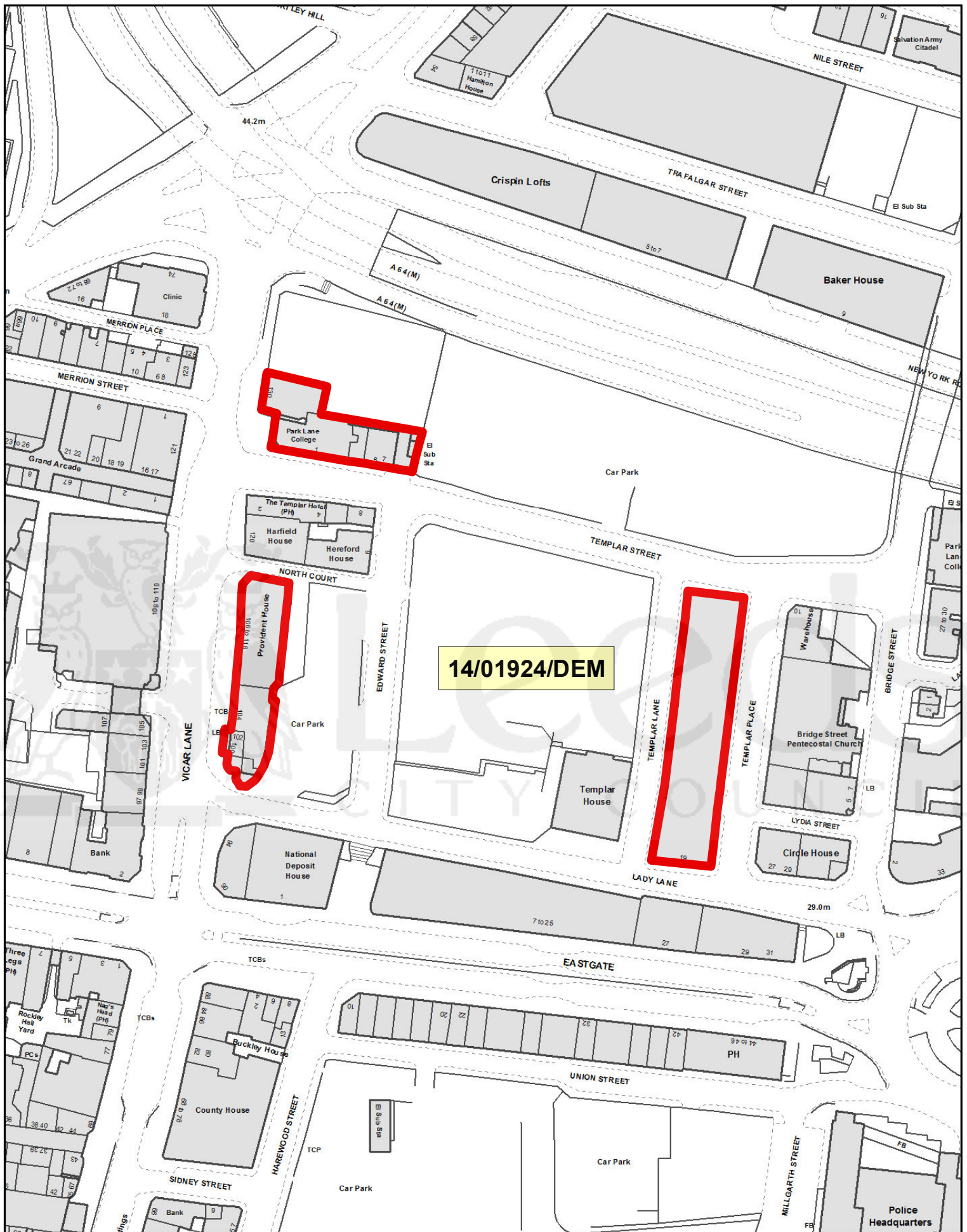
SOUTH AND WEST PLANS PANEL

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CITY PLANS PANEL

