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**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 22nd January 2015**

**Subject: POSITION STATEMENT FOR OUTLINE APPLICATION FOR MIXED USE REDEVELOPMENT INCLUDING A1, A3, A4 and A5 USES, OFFICES (B1), RESIDENTIAL (C3), MEDICAL CENTRE (D1), COLLEGE (D1), STUDENT RESIDENTIAL ACCOMODATION, MULTI-STOREY CAR PARK, BASEMENT CAR PARKING, ACCESS AND OPEN SPACE ON LAND AT QUARRY HILL (APP. REF. 14/06534/OT)**

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**Electoral Wards Affected:**

**City and Hunslet**

Yes Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION: This report is brought to Panel for Members to note the contents of the report and to provide feedback on the questions raised in section 10.**

**1.0 INTRODUCTION:**

1.1 A previous outline planning application for the central part of the Quarry Hill site was approved in principle by Members at Plans Panel in August 2005. However, the associated S106 agreement was never signed and hence the application was never approved. The original applicant, Caddick Developments Ltd, bought the site from L.C.C. earlier this year and has reconsidered the contents of the original scheme. Given the period of time which has elapsed since the original consideration of this by Members at Panel, and the changes in planning policy which have taken place, it was considered that the best and most robust approach was to submit a new application with documents submitted to reflect current planning policy. As Members will see from the presentation, very little has changed about the physical form of the development, which is still considered to be based on sound urban design principles. Members will be asked for their response to a number of questions raised at the end of the report.

## 2.0 PROPOSAL

- 2.1 The proposal is in outline with 'access' and 'layout' being the matters for consideration. As the application is in outline there are no elevational details to be included for approval, with the building footprints and heights being dealt with by parameter plans. However, in order to provide an impression of the way the scheme could look, Computer Generated Images (CGI's) have been provided as part of the application.
- 2.2 The scheme contains the following uses and floor spaces:
- 10,000 sqm office
  - 3,200 sqm A3 (cafes restaurants), A4 (bars) and A5 (take-aways)
  - 700 sqm A1 (retail) as submitted (amount being discussed with applicant against requirements of Core Strategy policy)
  - 1,200 sqm D1 medical centre
  - 705 (approx.) residential units The current mix of units is identified as follows:
    - 44% 2 bed – individual unit size 700-750 sqft
    - 48% 1 bed – individual unit size 475-525 sqft
    - 8 % studio – individual unit size 300-350 sqft(of which approximately 280 units could be used as student accommodation to provide approx. 720 student bed spaces)
  - 6,000 sqm education use (This would replace approx. 110 flats or 280 student residential units in building B located in front of Quarry House )
  - 1,100 car parking spaces in 2 levels of basement
- 2.3 The scheme retains the line of the existing central pedestrian route through the site with secondary routes connecting to both north and south. The existing landscaping would be replaced by a series of linked public spaces which would improve pedestrian access and permeability. Along the central route, at its narrowest point, the buildings would be 15m apart at the upper levels. However, this increases to 21m at ground floor level due to the set back of the building-line to either side in the form of a colonnade. It is the intention that these areas remain available for public use 24 hours a day but will be privately maintained. Pedestrian only public realm covers approximately 35% of the application site area.
- 2.4 To either side of this primary route are proposed three residential buildings and one office building creating the main crossroads at the centre of the site. These would have double-height units at the lower levels fronting onto the colonnades and be given to a range of commercial uses – bars, restaurants, retail and leisure as well as a medical centre. These buildings will be 8 storeys immediately adjacent the main route, rising to 14/15 storeys to the rear.
- 2.5 Three of these centrally located buildings are proposed to have a U-shaped plan which allows the courtyard style spaces within to be accessed from, and therefore included as, extensions to the public realm (ave. dimensions 18m x 25m). It also allows light to be brought in to what would otherwise be deep floor plates. The fourth building addresses the angled route to the eastern side of the Playhouse and results in an acute-angled corner fronting on to Playhouse Sq. This has been slightly remodelled from the original application in order to create a better entrance approach to the western side of the scheme, which is clearly visible from Eastgate.
- 2.6 The four central buildings are to be built above a dual-deck car park, accessed by vehicles from the southern side of the site – the only point of access. This would

provide dedicated parking for the residential, office and commercial units above (approx. 500 spaces). Direct access to the individual buildings will be contained in the basement and there will be an additional pedestrian stair and lift access constructed within the main west-east route which runs through the site. Servicing takes place for each building within dedicated service bays.

2.7 In front of Quarry House (18m from it) are proposed a multi-storey car park, with commercial unit fronting the northern side of the main open space area, and a flexible use office/residential/education building (5 – 7 storeys) which will sit to the south of the main open space area. This space measures 40m x 45m and creates a setting to the main Quarry House building behind. The width of the gap (20m) between the two buildings retains the view of the Quarry House entrance atrium and screens the wings of Quarry House from view. The office/education building would have its own dedicated basement parking area.

2.8 In respect of the multi-storey car park (MSCP), this would have 578 spaces, 78 of these are to be for use by occupiers of commercial and residential elements within the proposed development.

In respect of the remaining 500 spaces these are to be used as follows:

- A minimum of 250 spaces will be available for short stay parking at all times.
- The remainder of the spaces (up to 250) will be used for contract/season ticket parking, Mon-Sat.
- A guaranteed 350 short stay spaces will be available after 6:00pm for West Yorkshire Play House (WYPH) patrons, which can be provided as the majority of the 250 contract/season ticket parking will have left by this time. In reality more than 350 short stay spaces should usually be available after 6:00pm.

A pricing policy which can be reviewed periodically will make sure the car park remains short-stay and does not become entirely long stay due to customer's willingness to pay for long stay parking.

2.9 Disabled parking will be retained in the Square with 8 spaces being indicated on the submitted plan.

2.10 There are a number of existing trees which are located through the centre of the site. While the removal of the trees would have some short term negative visual impact, the new development contains significant new landscaping areas which offer good opportunities for extensive new tree planting as part of a longer term landscaping scheme. This has the potential to improve the site's long term tree cover. There are areas within the open space and along routes which are not above basement car parks and would enable trees to be planted in the ground, thereby enabling larger species to be considered and improving their chance of survival.

2.11 A number of documents have been submitted in support of this proposal and these are:

- Design and Access Statement
- Transport Statement
- Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Air Quality Statement

- Wind Test Analysis
- Acoustic Statement
- Coal Mining Risk Assessment and Ground conditions
- Shadow Casting Study
- Tree Survey

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

- 3.1 This is the area of land which runs through the centre of the Quarry Hill site linking Eastgate roundabout to Quarry House. It currently consists of a mix of hard and soft landscaped areas with a central pathway containing steps and ramps with vacant and cleared sites to either side. The sites have vehicular access from the A64 York Rd/Inner Ring Road to the north and from York St to the south. The sites to the north are currently used as surface car parking. There are currently 414 (approx.) car parking spaces on site.
- 3.2 To the west is the WYPH and to the south are the Leeds College of Music (LCM) and its associated student residential tower and the Northern Ballet HQ. Pedestrian access is gained from the west using the existing set of pedestrian steps and ramp arrangement to Eastgate roundabout which is outside the application site. A pedestrian bridge across the A64 to Mabgate is accessed from the north-eastern corner of the site.

### **4.0 RELEVANT PLANNING HISTORY AND HISTORY OF NEGOTIATIONS**

- 4.1 A previous planning application for the central part of the Quarry Hill site was approved in principle by Members at Plans Panel in August 2005. However, the associated S106 agreement was never signed and the application therefore never approved.
- 4.2 Officers have had a number of meetings with the site owners and their team to discuss the content and scope of the new submission along with the design changes to the buildings facing out over Playhouse Sq.
- 4.3 Certificate of Existing Lawful Use granted for surface car parking on land which largely coincides with the current application site boundary app. ref. 13/02275/CLE
- 4.4 To the north is an extant permission for a 14 storey office building with fitness centre and shop with attached multi-storey car park 12/03110/EXT.
- 4.5 To the west is an extant permission for a 13 storey hotel with casino, bars/restaurants and basement parking app ref. 12/03111/EXT.

### **5.0 PUBLIC / LOCAL RESPONSE**

- 5.1 A letter has been received from the Leeds Civic Trust which it refers to as a holding objection until the following are resolved:
- o support the general layout and massing of the scheme but consider that blocks A and B are positioned too closely together at the entrance to Quarry House and think that a larger area of public realm should be retained immediately in front of the entrance thereby enabling a larger area of green space to be created.

- support the principles of basement car parking and servicing to free up the ground level to pedestrian routes and public space
- there appears to be a conflict with the position of the vehicular access to the MSCP and servicing in relation to the pedestrian route over the footbridge from Mabgate. Question whether it is necessary for the MSCP to penetrate so deeply into the site.
- feel that the existing surface car parking areas for the Playhouse and other users should not be developed until the MSCP is operational otherwise there will be a detrimental impact on current users.
- some of the residential development should be designed for families.

5.2 This application was advertised as a major application on site on 28<sup>th</sup> November 2014 and in the press by notice in the Yorkshire Evening Post on 4<sup>th</sup> December 2014. Ward Members were consulted formally on 14<sup>th</sup> November 2014.

## 6.0 CONSULTATION RESPONSES

### 6.1 Statutory:

Environment Agency: No objection

The Coal Authority: No Objection subject to condition controlling the removal of any coal discovered on the site once investigation works have taken place on the site given the presence of a shallow coal seam and the requirement to excavate two levels of basement car parking.

Yorkshire Water: No objection subject to conditions

### 6.2 Non-statutory:

Highways Services: Need further information on how to access the footbridge over the A64. Coach layover parking needs to be considered. Service vehicle routes and turning areas need to be considered further. Extent of highways adoption needs to be agreed. UTC have to analyse impact on junctions – this may lead to the requirement for off-site highway works.

NGT – Public Transport Infrastructure Contribution: Given the flexible nature of the application it is not possible to give definitive final figures for each use/building, so instead rates per unit per use have been calculated. These are:

- A3/4 = £24.95 per 1sqm
- B1 = £10.33 per 1sqm
- C3 student accommodation = £82.61 per bedroom
- C3 flats = £82.61 per flat
- D2 college = £25.47 per sqm

When the Reserve Matters applications are submitted and the actual floor spaces and uses are known the definitive amounts can be calculated. At the current point in time though the figures for each use would be: Offices £114,000; A3-A5 £75,000; Student Accommodation £36,000; Residential £58,000; Education £156,263.

Environmental Protection: The mix of residential with commercial uses means that conditions should be used to protect the amenity of future occupiers from noise generated by these units as well as from plant & equipment, servicing & deliveries and air extracts from kitchens.

Flood Risk Management: No objection subject to condition

L.C.C. Wind Consultant - Rowan Williams Davies & Irwin Inc. (RWDI) Consulting Engineers & Scientists: Have carried out a peer review of the submitted wind study and have sought further clarification on a range of points. They agree with the applicants submission that the proposed development will be beneficial to the site as it is currently open and exposed.

## **7.0 RELEVANT PLANNING POLICIES**

### **7.1 The Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. Now that the Core Strategy has been adopted, this can now be given full weight as part of the statutory Development Plan for Leeds. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

1. The Leeds Core Strategy (Adopted November 2014)
2. Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) – with the exception of remitted Policy Minerals Policies 13 and 14, which are subject to further consultation, prior to submission and examination
4. Any Neighbourhood Plan, once Adopted

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

The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight they may be given.

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

The NPPF advocates a presumption in favour of sustainable development, and a 'centres first' approach to main town centre uses such as offices. The NPPF also promotes economic growth in order to create jobs and prosperity and consolidate Leeds City Centre's role as the economic driver of the Yorkshire region. Leeds should be the focus for investment in highly skilled and competitive businesses, as advocated by the emerging Core Strategy.

### **7.3 Leeds Core Strategy**

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

7.4 Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritizes the redevelopment of previously developed land within Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods.

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

- promoting the City Centre’s role as the regional capital of major new office development,
- making the City Centre the main focus for office development in the District including the West End within which this site is located.
- 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
- improving connections between the City Centre and adjoining neighbourhoods

Core Strategy Policy CC1 outlines the planned growth within the City Centre for 10,200 new dwellings, including office growth.

Policy G3 Requires that for sites within the city centre, for mixed use developments, they should provide the greater area of either 20% of the total site area, or a minimum of 0.41 hectares per 1,000 population.

Policy H2 refers to new housing development. The development will be acceptable in principle providing the development does not exceed the capacity of transport, educational and health infrastructure and the development should accord with accessibility standards.

Policy H4 says 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.

Table H4: Preferred Housing Mix (2012 – 2028)

<b>Type*</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
Houses	90	50	75
Flats	50	10	25
<b>Size*</b>	<b>Max %</b>	<b>Min %</b>	<b>Target %</b>
1 bed	50	0	10
2 bed	80	30	50
3 bed	70	20	30
4 bed+	50	0	10

\*Type is applicable outside of city and town centres; Size is applicable in all parts of Leeds

Policy H5 states that the Council will seek affordable housing from all new developments either on-site, off-site or by way of a financial contribution if it is not possible on site.

Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

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

Policies EN1 and EN2 set out the sustainable construction and on-going sustainability measures for new development. In this case a BREEAM 'Excellent' and Code for Sustainable Homes Level 4 are required.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G9 Biodiversity improvements

## **7.5 Leeds Unitary Development Plan Review 2006 (UDPR) Saved Policies**

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

GP5 all relevant planning considerations

BD2 new buildings

N25 boundary treatments

N29 archaeology

BD4 all mechanical plant

T7A cycle parking

T7B motorcycle parking

T24 car parking provision

## **7.6 Leeds Natural Resources and Waste DPD 2013**

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, e.g. 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. The most relevant policies are: Water 4 (Flood Zones); Water 6 (Submission of Flood Risk Assessments); Land 1 (Contamination); Land 2 (Trees); Air 1 (Air Quality)

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

SPD5 Public Transport Improvements and Developer Contributions

SPD Tall Buildings Design Guide – States that Quarry Hill is a location for tall buildings as it is a gateway location on one of the main approaches to the city.

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

Leeds Waterfront Strategy

7.8 Through the Site Allocation Plan this site has been identified for mixed use development containing offices and residential. Due to its early stage of preparation this allocation has limited weight at this time.



## **8.0 MAIN ISSUES**

1. The principle of the proposed uses
2. Building footprints
3. Building heights
4. Open space provision
5. Highways and Transportation
6. Sustainability
7. Flood Risk
8. Wind
9. Section 106 Obligations

## **9.0 APPRAISAL**

9.1 It must be remembered that this is an outline application where the only matters submitted for consideration are the means of access and layout. There is a considerable amount of other information which has been submitted and this assists in creating a clearer impression of the scale and detail of what is proposed as well as the potential urban grain and character of the development. This assists officers and Members in understanding the potential impact of the proposal on the City. Each key issue will be addressed in turn for clarity.

### 9.2 Principles of Proposed Uses

#### 9.3 Offices

The NPPF promotes economic growth in order to create jobs and prosperity. The proposed office use of the site is in accordance with Core Strategy and UDP saved policies and the location of prime office development within the City Centre, meets the requirement to locate such uses in sustainable locations. The scheme would provide block sizes which would be able to accommodate Head-Quarter operations as well as being able to be subdivided for use by occupiers with a smaller footplate requirement. This reinforces Leeds' position as a regional commercial centre and accords with national government advice on concentrating work places in major centres.

#### 9.4 Further Education

One of the office buildings is proposed to also be used as an educational establishment. There are other examples of this type of use on Quarry Hill with The Leeds School of Music and the Northern Ballet establishments already in place. Educational use would be supported under current planning policy.

#### 9.5 Residential

This scheme is central to the Quarry Hill site and there are no major roads which the buildings front on to, thereby avoiding potential problems in respect of noise and air quality. The pedestrianized nature of the environment is therefore considered to lend itself well to the location of residential uses. These buildings and the pedestrian areas they front on to are regarded as suitable locations for bar/restaurant uses and hence a series of conditions would be used to ensure that residential amenity is protected through restrictions on hours of opening, external noise sources, and acoustic attenuation schemes.

9.6 The applicants have indicated that the current demand for unit mix in Leeds is for 1 and 2 bedroom apartments and studios. They have also stated that, as the proposal consists of 6 buildings, of which 4 could contain residential uses, these would be

phased, and at the point of their submission for reserved matters, if demand for larger units was identified then this could be addressed at that time. Core Strategy would require a minimum of 20% of the units contain 3 bedrooms, as set out in the policy section above.

- 9.7 Officers consider that, as this scheme is in outline and the provision of residential uses within the buildings is not fixed, it is reasonable to consider that unit mix at reserved matters stage. Therefore, it is proposed that when this application is brought forward for determination, a condition is used to require a Housing Needs Assessment to be submitted for each phase of development which contains residential accommodation. This would allow the position at that time to be considered which officers consider would be more accurate and less open to unpredictable market variations.
- 9.8 The size of the units would also be fully considered as part of any subsequent Reserved Matters application. At the time of writing this report discussions were on-going regarding the affordable housing provision to be made within the scheme.
- 9.9 There is also the possibility of student residential being provided on site. The Core Strategy supports purpose built student accommodation and, as previously stated, there are existing educational establishments on Quarry Hill as well as in the wider City Centre.

**In this situation, where the application is flexible and the number of residential buildings and the timing of their provision are unknown, are members happy with the approach stated above, which sees the housing need assessed closer to the point of likely construction?**

**Is the provision of student housing considered to be acceptable here?**

- 9.10 Retail  
Small scale convenience retail use up to 200 sqm is acceptable in principle anywhere within the City Centre as it supports and services other uses without undermining the retail strategy for both the City Centre and other designated centres. This is in accordance with Core Strategy policy CC1. The total amount of retail floor space proposed is approximately 700 sqm and the nature of the controls over the provision of this use needs to be the subject of further negotiation with the applicant to ensure compliance with the Council's policies. The retail content would exist at the lower levels only and would support the objective of providing lively and active frontages.
- 9.11 Leisure and Entertainment  
There would be large areas at ground floor level which open out on to pedestrian dominated routes and which would benefit from the localised worker and residential customer base. The provision of bars and restaurants would ensure that this part of the city does not become a sterile place, ensuring life and vitality outside normal office hours.

**Do Members consider that the range of city centre uses proposed is acceptable on this site?**

- 9.12 Building Footprints  
The plan of buildings proposed creates a largely pedestrian dominated environment with levels of permeability appropriate to this city centre location. The layout opens

up the centres of three of the main buildings to create courtyards. This adds to both the variety and hierarchy of the open spaces and the levels of visual interest.

- 9.13 Since its construction Quarry House has existed as a dominant presence on the skyline of the eastern half of the city centre, clearly visible along the Headrow. This has been due largely to it being seen 'out of context' with no development around it. The two buildings which sit immediately to the west of it have been designed to respect the symmetry of Quarry House but mask its two outer wings, leaving only the central glazed atrium visible at the end of the main pedestrian route. This remains unchanged from the previous scheme and the relationship is still considered to be acceptable. This will also be impressive at night as this is internally illuminated.

**Do Members consider that the footprints of the buildings, including the readjustment to the building corners at the western end of the site, are acceptable?**

- 9.14 The network of internal pedestrian routes will enable access to be gained to the footbridge across the A64 and the detail of this is being discussed with the applicant as part of the highways considerations. In addition, the development is likely to generate significant pedestrian traffic to the west towards Eastgate and the markets area. The pedestrian steps up to Quarry Hill from Eastgate are on land in Council ownership and their quality and alignment are currently under discussion to ensure that they will act as an acceptable link across the Loop to the city centre, the new Victoria Gate scheme and the bus station.

- 9.15 Building Heights

The heights of the buildings have been carefully considered to allow light penetration to both the main pedestrian route through the site and into the courtyards within the proposed buildings. This naturally produces a built form which has a more human scale fronting the pedestrian route, with the taller elements of the buildings set back from this to provide height and therefore an appropriate scale of building on this important site. The heights will also relate well to those of the existing and proposed buildings on the remainder of the Quarry Hill site and this will result in the production of a well-planned and coherent development, when viewed from both within the site and from a distance, on the city's skyline where it will enhance vistas and continue to act as a landmark.

**Do Members consider that the heights of the buildings proposed are acceptable?**

- 9.16 Open Spaces

Approximately 35% of the site is to be given over to pedestrian only, publicly accessible open space. This is well in excess of policy requirements and is welcomed by officers. The entire site is unified by the central route which passes through 3 main spaces. These will act as focal points for activity and access points to the buildings themselves. The bar and restaurant uses at the lower levels have been included to maximise the potential to 'spill out' into the primary routes and spaces to provide life and vitality throughout the day and night. These will have glazed elevations to both the main thoroughfare and the internal courtyards to maximise visibility, interest and security through natural surveillance. The routes and spaces will be open 24 hours a day and will therefore act as an extension to the existing pattern of city centre streets. There are also pedestrian routes through to the pedestrian footbridge over the A64 and the surface treatments and demarcation of this route are currently under consideration.

**Do Members consider that the amount of open space on the site is acceptable?**

- 9.17 It is likely, given the scale and multiple building nature of the proposal, that the scheme will not all be constructed at the same time. This means that once buildings are constructed there will be areas of public realm in the immediate vicinity that will need to be surfaced and landscaped but this will not be able to be rolled out across the whole site. Similarly, when initial phases are constructed there will be a need to ensure that pedestrian routes around and through the site are maintained, diverted, made good and lit.

**Do Members consider that, as development commences, a strategy for the phasing and layout of open space and routes is required to ensure that the site can be properly accessed as the development progresses?**

- 9.18 Car Parking, Vehicle Access and Servicing  
The scheme has been designed to avoid conflict between pedestrians and the private motor vehicle. Cars will enter the site from the south and be directed into the basement car parking areas before they reach the main east/west pedestrian route. Taxis can access the site from both the north and south and there are drop-offs close to the building entrances. Servicing will take place from within each building and therefore will not be visible on the surface. This will also minimise the potential for refuse and other items to be stored in external areas and reduce noise and other undesirable environmental impacts which might otherwise arise. This approach is considered entirely consistent with the objectives of producing a high quality environment.
- 9.19 The method of operating the proposed multi-storey car park has been carefully considered to provide short stay spaces for the use of the WYPH and other businesses in the area, and the provision of up to 250 contract spaces, also with the potential for use by businesses in the area. With regard to the Council's adopted Transport Strategy, given there are currently approximately 414 long stay parking spaces on the site, in the long term, this means that there would be a net reduction in long stay spaces of a minimum of 164 spaces. This is considered to provide the correct balance between servicing the requirements for short stay parking, the requirements of businesses in the area, as well as meeting the Council's Transport Strategy, which seeks to restrict the growth of commuter parking in the City Centre.
- 9.20 Playhouse Square is currently used as a drop-off area for the WYPH as well as an informal coach lay-over area. This informal lay-over arrangement will no longer be able to occur when the development proposed or consented on Quarry Hill is in place. For this reason an area of land has been set aside adjacent the Northern Ballet HQ for this purpose. This is held under a development agreement with L.C.C. such that the applicant cannot develop its building adjacent Playhouse Square without the reserved lay-over area having been laid out for coach parking. The details of this provision, and its control through the planning application, is being discussed with the applicant at this stage.
- 9.21 Environmental Issues  
Noise impact on the residential units from primarily traffic sources around the site would be mitigated by the presence of the existing and proposed buildings at its periphery. Facades would be constructed to provide the required level of noise reduction appropriate to the intended use of the internal space. The other sources of noise are from within the A3, A4 and leisure units proposed by the development

itself. Therefore acoustic attenuation schemes to prevent noise break-out from these uses would be required and can be controlled by condition.

#### 9.22 Wind

At the time of writing this report the comments of RWDI had been passed to the applicant/agent to provide the necessary clarifications. However, the review states that, subject to clarifications, the wind environment would be suitable for the desired uses on the site. When the application is brought before Members for determination a full response to the wind issue will be provided.

#### 9.23 Sustainability

The application sets out that the following will be included in the subsequent detailed building designs:

BREEAM 'Excellent' to be targeted

Solar thermal and photo-voltaics to be included on the roof areas

Green roof areas

Rainwater harvesting

Low water use appliances

High levels of insulation

Officers have asked for clarification on the intended Code for Sustainable Homes level and the proportion of renewable energy and carbon reduction to be targeted. A full consideration of sustainable measures will be included when the application is brought to Members for determination.

#### 9.24 Obligations

Adopted policies require the following obligations to be provided:

- Affordable Housing on-site 5% (this level of provision is being discussed with the applicant)
- Public Transport Contribution
- Possible off-site highways works contribution
- Specific travel plan measures contributions – incl. 3 no. car club spaces
- Travel plan monitoring fee (final amount to be confirmed)
- Possible Education Contribution for 3 bed units, if these are to be included.
- Public access through the site
- Open space to be retained for public use and maintained
- Cooperation with local jobs and skills initiatives
- Management fee (amount to be confirmed dependant on number of matters to be covered by the associated Legal Agreement)

9.25 As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- necessary to make the development acceptable in planning terms;
- directly related to the development; and

- fairly and reasonably related in scale and kind to the development.'

9.26 As listed above there are matters to be covered by a Section 106 agreement. The matters listed above represent an interim position with the final list of obligations being included in the subsequent report to Panel for determination. However, those that have been discussed have been assessed against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

9.27 If the application is determined after 6th April 2015 then it must be determined in accordance with the new CIL regime and the Public Transport Contribution and possible Education Contribution would be omitted as the CIL payment would ensure contribution to key strategic infrastructure schemes.

## **9.28 Consultee comments**

9.29 There are a number of consultee comments still to be received and some which are in the process of being considered. These matters will be addressed when the application is returned to Plans Panel for determination in due course.

## **10.0 CONCLUSION**

10.1 The proposal will clearly remove from the city an area of land which is environmentally unattractive, open to abuse and one which does not contribute to its life, vitality or economic prosperity. The scheme would potentially provide high quality and well-designed buildings which relate well to each other and the surrounding developments centred on well planned public routes and spaces. The uses will provide life and vibrancy at all times of the day and ensure that there is a presence on the site at night through the inclusion of the residential element.

10.2 Members are asked to consider the following matters:

**In this situation, where the application is flexible and the number of residential buildings and the timing of their provision are unknown, are members happy with the approach stated above, which sees the housing need assessed closer to the point of likely construction?**

**Is the provision of student housing considered to be acceptable here?**

**Do Members consider that the range of city centre uses proposed is acceptable on this site?**

**Do Members consider that the footprints of the buildings, including the readjustment to the building corners at the western end of the site, are acceptable?**

**Do Members consider that the heights of the buildings proposed remains acceptable?**

**Do Members consider that the amount of open space on the site is acceptable?**

**Do Members consider that, as development commences, a strategy for the phasing and layout of open space and routes is required to ensure that the site can be properly accessed as the development progresses?**

**BACKGROUND PAPERS:**

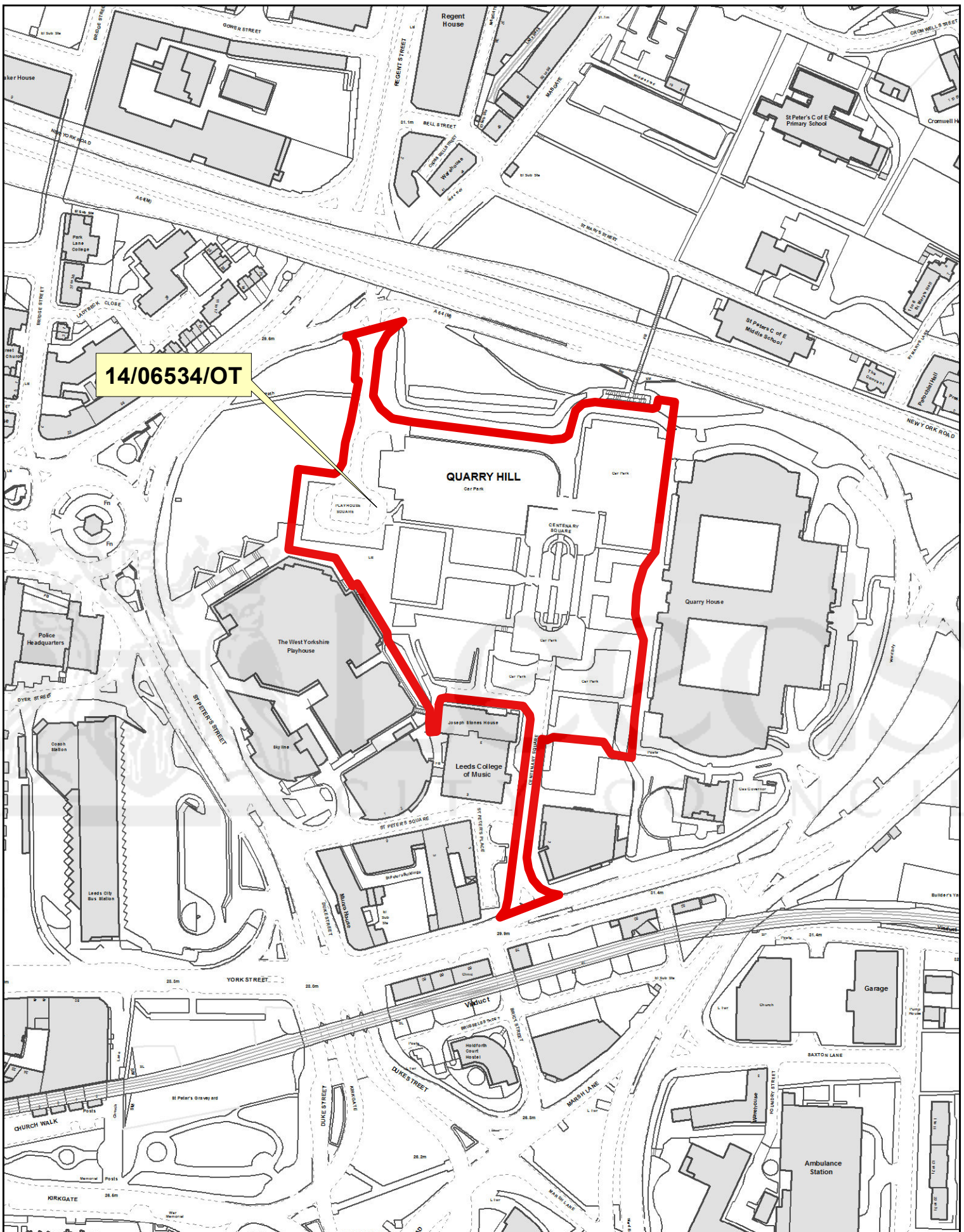
Previous Application file: 20/523/04/OT

Certificate of Existing Lawful Use for surface car parking app. ref. 13/02275/CLE

14 storey office building with attached multi-storey car park 12/03110/EXT.

13 storey hotel with casino, bars/restaurants and basement parking 12/03111/EXT.





14/06534/OT

# CITY PLANS PANEL

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SCALE : 1/2500

