
Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 12th February 2015

Subject: PLANNING APPLICATION 14/05976/OT - MIXED USE SCHEME COMPRISING (B1) OFFICES, RESIDENTIAL AND/OR HOTEL (C3/C1) AND A FLEXIBLE RANGE OF SUPPORTING USES AT GROUND FLOOR (A1-A5, D1 AND D2) WITH BASEMENT CAR PARKING; PUBLIC OPEN SPACE AND MODIFICATIONS TO THE SITE ACCESS JUNCTIONS AT SITE BOUNDED BY WELLINGTON ST AND WELLINGTON BRIDGE ST (FORMER YORKSHIRE POST SITE).

Electoral Wards Affected:

City and Hunslet

☐ Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to resolving the impact of development traffic on the West Street gyratory junction of Kirkstall Road and Wellington Road, the specified conditions (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:

- **Provision of 5% affordable housing units**
- **Improvement works to the local highway network**
- **Public transport infrastructure contribution (£ per sqm of floor space):**
 - £12 per sqm A2/B1 use - £464,670**
 - £9 per sqm C1 hotel - £143,552**
 - £14 per sqm A3/4 use - £55,479**
 - £232 per residential unit - £46,467**
- **Travel Plan Review Fee (£20,000) and provision of agreed travel plan measures**
- **Provision of free trial membership of the city car club (£33,000)**
- **Ensure public access to the open space area**
- **Maintenance of public areas**
- **Ensuring ability to connect to the neighbouring site to the west.**
- **Local Employment Initiatives**
- **Education contribution for any 3-bedroom flats to be provided in the**

development based on the Council's standard multipliers for primary and secondary school contributions

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

In the circumstances that the application has not been determined by 6th April 2015 then the above pro-rata contributions relating to public transport infrastructure and education facilities will be replaced by the adopted Community Infrastructure Levy.

Conditions

These will be circulated as a late item prior to the Panel meeting.

1.0 INTRODUCTION:

- 1.1 Members will recall considering a pre-application presentation in September 2014 and a position statement at Panel in December 2014 for this major mixed use scheme proposed on the vacant former Yorkshire Post site, located at the corner of Wellington St and the on-slip of the Inner Ring Road (Wellington Bridge St). Following the position statement Members were generally positive towards the scheme (the minutes are referred to in section 4.0 below). Members will be aware that the site was vacated by Yorkshire Post over a year ago and, since then, demolition of the building has been completed. The land has been sold and the new owner wishes to pursue a redevelopment of the site. This scheme is now being brought to Members for final determination.

2.0 PROPOSAL

- 2.1 The proposal is in outline with means of access being the matter under 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) as well as precedent images have been provided as part of the application.

2.2 Access Points

The existing 2 no. access points on to the public highway are to remain in the same locations. With these points fixed, pedestrian routes through the site have been considered. Along the eastern boundary, the existing buildings, as well as the approved layout for Wellington Place, have been used to establish the logical positions for the linkage points between the 2 sites. There are 2 points along this boundary, in addition to the river frontage, which have the potential for connections to be created. The buildings have been located in positions which take account of these routes in a way which is described below.

2.3 Building Height, Layout and Uses

It is proposed to develop the site with 4 main buildings. Three of these run parallel to Wellington Street but are off-set to create a built frontage to Wellington Bridge St. These buildings set up well defined east-west routes across the site which would enable both pedestrian and vehicular access to be achieved, with the pedestrian route aligned with the large bus layby on Wellington Bridge St and the southern route, set by the location of the existing vehicular access point.

- 2.4 The two northern buildings will decline in height towards the east and all three will step down in height towards the river, with the highest point being approximately 15 no. storeys and the lowest approximately 8 no. storeys. The chamfered ends of the corners closest to the Wellington St corner respond to the angle of the road alignment. When extended upwards, this creates an unusual form and Members commented on the opportunity which this could provide for a distinctive design at Panel in December. Further work has been carried out on this corner to address Member's comments and the corner has therefore been increased by a single storey to 15 storeys and the part of the building immediately adjacent reduced by a single storey to 12, in order to add emphasise and create a gateway feature.
- 2.5 These three buildings are proposed to be mainly office use (up to 40,000 sqm) with a mix of A1-A5, D1 and D2 uses at ground level (up to 4,050 sqm) and 290 car parking spaces in the basement.
- 2.6 The fourth building is perpendicular to the other 3 and aligns itself more closely with the eastern boundary to Wellington Place. This is proposed to have a flexible use for either entirely residential (approx. 200 units) or for all or part of this building to be a hotel (16,500 sqm). This building steps down towards the river from a height of approximately 17 residential storeys. Locating the residential/hotel use here means that it is kept away from the primary road frontages where issues of amenity from road traffic noise and air quality are less likely to occur. The roof tops can also be used as private or communal amenity space for the residents/hotel guests.
- 2.7 Across the entire scheme the changes in building heights produces a scheme which steps down from the road frontage and also down towards the river with the highest part of the development being located on the Wellington St/Wellington Bridge St corner. This approach, coupled with the orientation of the site and the river frontage towards the south-west, would also allow greater amounts of sunlight to penetrate the scheme and in to the areas where the open space is to be provided.
- 2.8 Open Space Provision and Active Frontages
The proposed layout creates a series of interlinked spaces with a hard landscaped more formal square at the north-eastern corner of the site (approx. 30m x 50m), a soft landscaped triangular space fronting the full length of the river (approx. 100m long by 40m deep) and a linking space between the two (approx. 25m wide x 50m long). This provides the opportunity to create a continuous pedestrian space from Wellington St all the way through to the river corridor and then along the river corridor, as the space would be linked to Wellington Place to the east and then up to the footway of the Inner Ring Road to the west. Members should note that it is not possible to pass beneath the road bridge at this point.
- 2.9 These spaces are served by the main access nodes around the site, as described above. In addition to these, two further low level pedestrian links to the surrounding footway network are proposed through the ground floors of the buildings fronting Wellington St and the residential/hotel building. The ground floor frontages to the spaces would be animated by the main entrances to the buildings as well as a series of commercial units which would provide life and vitality throughout the day and in to the evening. In addition there are 2 no. free-standing buildings, in the square and the river front spaces, which would also provide focal points for activity and help to animate and, in the case of the square, visually contain the space.
- 2.10 Landscaping – Tree Planting

There are a number of existing trees which are located on the western side 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 and so 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, which would enable trees to be planted in the ground, thereby enabling larger species to be considered and improving their chance of survival.

2.11 Servicing and Vehicle Access

This is to be taken from the existing vehicle access points on Wellington St and Wellington Bridge St. The principle which has been adopted is to locate the parking in basements beneath each building to ensure that parked cars are not visible on the surface in order to create a better environment. This would require a surface link between the two sides of the scheme to allow refuse, emergency and larger service vehicles, which are too large to access the basement, to pass through the site and service it when required. This is the same approach which has been approved as part of the neighbouring Wellington Place site. This link would also enable vehicles leaving the site to exit the site from the chosen egress point, thereby reducing traffic movement on the highway network during peak periods and residents to access the site more easily when approaching from the inner ring road and the west at any time.

2.12 The vehicular route along the eastern boundary sits above a culvert which cannot be built over. This route would give access to a servicing lay-by, the access ramp to the car parking beneath the residential building and a turning head. It will also provide a direct route for cyclists to get from Wellington St to the riverside. The space which it creates along this side of the site also provides physical separation between the residential/hotel building and the neighbouring multi-storey car park (minimum distance 24m). The original brick wall of the former Been Ing Mills, which used to occupy this site, is to be retained along this boundary, but will be removed at the points where pedestrian through-routes are required.

2.13 The applicant has submitted the following suite of supporting information:

- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Surface Water Drainage Strategy
- Sequential and Exceptions Test
- Wind Assessment
- Preliminary Land Quality Risk Assessment
- Mining Risk Assessment
- Ecological assessment (incl. bats)
- Heritage Assessment
- Air Quality Assessment
- Noise Assessment
- Sustainability and Energy Assessment
- Arboricultural Report
- Statement of Community Involvement

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is approximately 1.97 hectares and is located to the south of Wellington Street, Leeds. The majority of the site area is now cleared following the demolition of the Yorkshire Post Building. The site is generally flat and is bound by Wellington Street to the north, the low-rise car park of the Crowne Plaza hotel and the Wellington Place multi-storey car park to the east, the River Aire to the south, and the Inner Ring Road slip road (Wellington Bridge St) to the west. The surrounding area has a mix of uses comprising offices, hotels, small scale retail and residential. A number of large scale developments have been built in close proximity to the site:
- City Island Development (Residential), immediately south of the site on the opposite side of the River Aire. The development consists of two 15 storey curved stepped blocks and a 20 storey tower.
 - Immediately adjacent the application site to the east is the Crowne Plaza hotel which rises from 6 to 10 stories at its most prominent part which is the stair tower closest to Wellington St.
 - Hotel and student housing scheme on the north-western side of the West St gyratory up to 17 stories in height.
- 3.2 To the east of the site is the Wellington Place mixed use scheme. The proposal consists of 2 million sq ft of commercial, retail, leisure and residential space in buildings of up to 19 storeys. Construction has started on site with the second building having just commenced - although this is at the eastern end of the site well away from the current proposal. The building immediately adjacent the application site, fronting the river, was originally identified as Plot 1a and the outline approval parameter plans indicate a building of between 10 and 13 stories in height.
- 3.3 To the north of Wellington St is a row of now disused office buildings fronting Westgate (Ring Road off-slip). This site benefits from planning permission for a 28 storey tower comprising 272 flats, offices, A3 use and basement parking and this permission is valid until July 2016 (app. ref. 10/03459/EXT).

4.0 RELEVANT PLANNING HISTORY

- 4.1 This application was submitted on 13th October 2014 and Members received an officer presentation and considered a position statement in December 2014. In response to the specific points raised in the report, the Panel provided the following responses:
- that Members considered that the information now presented gave greater clarity over the pedestrian network within the site and the way it linked in to the surrounding network of proposed and existing routes and streets
 - that Members were happy with the proposed series of pedestrian routes within the site
 - that Members consider that the material now presented has provided enough clarity over the heights and massing of the buildings for these to be considered acceptable
- 4.2 Applications for full and advertisement consent for the temporary reuse of the original Yorkshire Post concrete clock tower, for the mounting of a digital advertising screen, were approved in October 2014. (14/02494/FU and 14/02512/ADV)

5.0 HISTORY OF NEGOTIATIONS

- 5.1 Since the position statement was considered at panel, officers have been in discussion with the applicant's team regarding the height of the building on the north-western corner in order to create a more notable landmark feature. Detailed highways matters have also been considered and are referred to below.

6.0 PUBLIC / LOCAL RESPONSE

- 6.1 This application was advertised as a major application on site on 24th October 2014 and in the press by notice in the Yorkshire Evening Post on 13th November 2014. Ward Members were consulted formally on 16th October 2014.

- 6.2 No responses have been received from Members of the public.

- 6.3 A letter of support has been received from the Leeds Civic Trust. This makes the following points:

- Welcomes the approach to:
 - permeability,
 - providing active frontages
 - 40% public realm provision
 - No surface parking
 - Peripheral servicing access
- Opening up of the river is positive although the flood wall does create a visual barrier. Ask whether the impact of this can be mitigated against.
- Important to retain the original Bean Ing Mills boundary wall but that openings are allowed to aid permeability.
- The proposal to include active frontages including retail is supported especially as there are few shops in this area.
- Ask whether the time and temperature indicators on the remaining Yorkshire Post tower could be incorporated in to the scheme as they represent a local landmark.

- 6.4 A Public Exhibition was held on 23rd September at the Crowne Plaza hotel next to the application site. This event was advertised in the Yorkshire Post on 18th September and posters and e-mails were sent to City Island residents. The event was also advertised to local businesses by letter sent on 15th September. The exhibition was attended by approximately 30 people and staffed by both the agent and architect practices. The applicant has informed the Local Planning Authority that 'the majority of those in attendance were residents of City Island.'

The applicant's statement of Community Involvement sets out the following in respect of the findings and submissions received as a result of this event:

'There is a general level of support for redevelopment of the site following demolition of the Yorkshire Post building and recognition of the regenerative and accessibility benefits that the scheme presents. Comments from the event included:

- *A requirement for convenience retail on the site to serve the needs of City Island as the area is currently deficient*

- *Introduction of leisure uses (e.g. gym, cinema, bars and cafes)*
- *Support for the interim proposals for recladding the tower and digital media, and that reference to the tower/clock should be included in the redevelopment scheme*
- *Potential to link the development over the river directly to City Island*
- *Introduction of green space with art would be strongly supported*
- *Support for the utilisation of green energy sources*
- *Support for landmark buildings*
- *Would like the site to attract high tech businesses*
- *Strong support for the 40% public realm*
- *Support for the stepping of the buildings which would mirror City Island*

Some residents queried whether additional residential development was required though generally considered that the development would result in benefits for City Island by drawing the city centre to the west and creation of new links and facilities to the benefit of residents, as well as creating a better neighbouring environment’.

7.0 CONSULTATION RESPONSES

7.1 Statutory:

Environment Agency: No objection subject to conditions

Highways Agency: No objection

The Coal Authority: No objection

Yorkshire Water: No objection subject to conditions

The Canal and River Trust: Offer 'no comment' (assumed no objection)

7.2 Non-statutory:

Highways Services: traffic movements associated with the proposal have been considered further. The use of the access through the site should be controlled by condition. Requirements to accommodate the proposed cycle super-highway along the site frontage are still being considered at the time of writing this report.

Travelwise (Travel Planning): No objections subject to provision of monitoring fee, provision of car club on-site (single space); indication of links to cycle routes; Free trial membership of car club; provision of cycle facilities; travel plan coordinator

NGT – Public Transport Infrastructure Contribution: As this is an outline scheme, the actual amount of floor-space for each use class will not be confirmed until reserve matters stage. Therefore, a set of multipliers per sqm of each use class will be applied. The agreed multipliers, and the contribution this would produce if the maximum floor space for each use class were to be constructed, is set out below:

£12 per sqm A2/B1 use - £464,670

£9 per sqm C1 hotel - £143,552
£14 per sqm A3/4 use - £55,479
£232 per residential unit - £46,467

West Yorkshire Combined Authority: the public transport accessibility of the site is acceptable given the proximity of the A65 Easyway bus corridor along the Kirkstall Rd and the public transport nodes in the city centre. Cycle and pedestrian access can be gained from the National Cycle Route 66 which runs along the canal. All stops are of an acceptable level and no additional bus infrastructure is required. Concern at the level of car parking provided on the site as the provision of parking does not reduce the dependency on this form of transportation. There should be priority given to car sharers, EV charging points and a car club contribution.

Environmental Protection: Mixed use nature of the proposal could lead to disturbance to potential residents. Also construction activity could disturb existing nearby residents. Noted that enhanced glazing system and alternative methods of ventilation to any residential units is proposed.

Sustainability - Contaminated Land: No objection subject to standard conditions

Sustainability – Ecology: No objection - The Ecological Assessment has recorded the presence of bats foraging and commuting along parts of the site adjacent to the River Aire, and some invasive non-native plant species are present within the site. It also suggests a number of ecological enhancements to ensure an overall net gain in biodiversity. These can be controlled by condition.

Flood Risk Management: No objection subject to condition

Regeneration and Asset Management Services: There is a requirement for 5% affordable housing to be provided on site.

Licensing: Food and drink outlets will require licenses. The site is not within the cumulative impact area.

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. The review indicates that the wind environment would be suitable for the desired uses on the site and that there will be no places where the wind would cause distress. As the design moves forward, detailing such as entrance locations and the siting of any outside seating will be important as these need to be in zones which are relatively calm and sheltered.

Education Services: A contribution would be required towards primary and secondary education facilities for any 3 bedroom flats to be provided on site.

8.0 RELEVANT PLANNING POLICIES

8.1 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 supplemented by supplementary planning guidance and documents.

The introduction of the National Planning Policy Framework (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.

8.2 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 location of prime office development within the City Centre, close to the railway station meets this requirement to locate such uses in sustainable locations. The NPPF also promotes economic growth in order to create jobs and prosperity. These new office buildings would help consolidate Leeds City Centre's role as the economic driver of the Yorkshire region, and the focus for investment in highly skilled and competitive businesses, as advocated by the Core Strategy.

8.3 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:

- 8.4 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 Areas, 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.

G5 sets out the requirement for open space provision in commercial and mixed use developments.

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.

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, Code for Sustainable Homes Level 4 is required.

Other relevant Core Strategy policies include:

Policy EN4 district heating

Policy EN5 Managing flood risk

Policy ID2 Planning obligations and developer contributions

Policy G1 Enhancing and extending green infrastructure

Policy G2 Creation of new tree cover

Policy G3 Standards for open space, sport and recreation

Policy G5 Open space provision in the City Centre

Policy G9 Biodiversity improvements

8.5 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

8.6 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)

8.7 Relevant Supplementary Planning Guidance includes:

SPD5 Public Transport Improvements and Developer Contributions

SPD Tall Buildings Design Guide – States that the western end of Wellington Street is a location for tall buildings as it is a gateway location, on one of the main approaches to the city as well as adjacent the Inner Ring Road where a ‘string’ of tall buildings is considered to be appropriate (evidenced by the City Island and Hotel/Student development already constructed).

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

City Centre Urban Design Strategy

Leeds Waterfront Strategy

SPD Affordable Housing

Education Contributions SPG

9.0 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

10.0 APPRAISAL

- 10.1 It must be remembered that this is an outline application where the only matter submitted for consideration is the means of access. There is clearly 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 the understanding and appreciation of the potential impact of the proposal on the City. Each key issue will be addressed in turn for clarity

10.2 Principles of Proposed Uses

10.3 Offices

The primarily office use of the site is in accordance with Core Strategy and UDP saved policies and 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.

10.4 Residential

The residential use has been located in the area considered to have the best environment for amenity purposes where it is away from the surrounding road network and fronting the riverside open space areas. These are also 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.

10.5 The applicants have stated their intention to conform with affordable housing provision on site, as set out in the Core Strategy and the relevant Supplementary Planning Guidance. This is independent of whether the proposal is developed as open market housing or under the Private Rented Sector (PRS) model.

10.6 In addition the applicants have indicated that there would be a provision of 3 bed units within the building, along with a mix of 1 and 2 bed units, which might appeal to couples and young families who would then have a longer term stake in the evolution of this part of Leeds.

10.7 The size of the units would be fully considered as part of any subsequent Reserved Matters application, however, the applicant has made it clear that they are proposing high quality development and intend to deliver units with the space provision to match.

10.8 Hotel

The residential/eastern building is being proposed with the flexibility to be used as a hotel. Policy supports the inclusion of all categories of hotels in the city centre. The proposed location is considered acceptable, for the same reasons that this is the best location for the residential building. With the range of uses normally associated with hotels at ground floor, it would provide a focus for activity in a prominent location as well as a source of commercial and tourist visitors to the city who would be likely to utilise the services on offer.

10.9 Retail

Small scale convenience retail use is acceptable in principle as it supports and services the primary use in the area without undermining the city centre retail strategy and other designated centres in accordance with Core Strategy policy CC1. The total amount of retail floor space proposed is 500 sqm and the applicant has justified this by the submission of a sequential test which makes it clear that they wish the scheme to accommodate a small convenience store such as those which have become popular in the city centre in the last couple of years (e.g. Tesco Metro) along with a small number of other convenience stores. Officers are satisfied that, in this situation, where over 50,000 sqm of total floor space is to be provided, the provision of no more than 500 sqm of convenience retailing to service workers, residents and guests is a reasonable amount of provision and would not impact on the retail viability of the nearest local centre at Wellington St and the Prime Shopping Quarter.

10.10 Restaurant, Bars, Leisure and Entertainment

The ground floor units would open out on to pedestrian dominated routes and benefit from the localised worker and residential customer base. The provision of bars, restaurants and leisure units would ensure that this part of the city does not become a sterile place, ensuring life and vitality outside normal office hours and are

acceptable subject to conditions to ensure that they would not impact on the amenity of potential future residential occupiers.

10.11 Building Footprints

10.12 The building layout has been driven by a series of logical steps, taken as a response to:

- Surrounding buildings,
- Street frontages,
- The River Aire
- Existing site access points which have to be retained and
- Other site constraints e.g. the culvert which runs up the eastern side of the site.

As a result, a pattern of development proposed has emerged which offers a logical distribution of building alignments as well as a high degree of legibility within the scheme.

10.13 The building footprints are elongated rectangular forms although there are features incorporated which would lead to distinctive elevational treatments. The chamfered corners to the north-west provide distinctive elevational forms and the incorporation of double-height overhangs increases the amount of publicly accessible open space available for public circulation and creates areas which are protected from rain. This device has been used on other development in the city, notably Leeds Dock and Princess Exchange and would provide positive feature ends which could be supported on giant order columns or cantilevered. These are considered to be acceptable inclusions to the scheme which will add distinctiveness and character.

10.14 The proposed layout is designed to provide clarity and legibility to pedestrians. The building footprint size proposed conforms with the requirements of modern occupiers whilst at the same time attaining the desired degree of permeability and linkages to the network of streets and routes which exist or are proposed around the site. The minutes of December Panel state that 'Members considered that the information now presented gave greater clarity over the pedestrian network within the site and the way it linked in to the surrounding network of proposed and existing routes and streets' and that 'Members were happy with the proposed series of pedestrian routes within the site'. These routes are unaltered and officers consider them to be acceptable.

10.15 Building Heights

10.16 The proposed building lengths make it easier for variation to be provided in their heights. It is proposed that the buildings will step down away from the prominent Wellington St/Inner Ring Rd corner into the scheme and down to the river to provide a considered and sculpted 3-dimensional form. The heights will be controlled by a set of indicative parameter plans and height limits. This format of building has the benefit of allowing natural light to enter the centre of the site whilst, around the perimeter, the height can respond to the street frontages and create a scale of development which is appropriate to its prominent setting. The chamfered ends closest to the Wellington St corner have been re-modelled and the height differential increased as described above. This has produced a more distinctive form which officers consider now adds greater emphasis to this prominent north western corner so that it acts as a landmark feature.

- 10.17 As this is an outline scheme, the elevational treatment of these buildings is for determination under subsequent reserved matters applications. However, a series of Computer Generated Images (CGI's) have been provided which give an indication of what the scheme could look like, although it is stressed that these are for information only and that the design of the buildings would be the subject of detailed subsequent negotiations with officers. These would be the subject of a reserved matters application to be determined at Plans Panel in the future.
- 10.18 At its closest point the nearest building to the City Island development is 50m away and it is considered that this would result in no loss of amenity to the occupiers of this neighbouring development. What is more, the City Island residents would have a new development to look out over which should be a more pleasant than the rear of the former Yorkshire Post building and its associated service yard.

10.19 Open Space Provision

- 10.20 The block patterns also allow a hierarchy of spaces to be created of appropriate sizes and in locations which result in an inter-linking network of squares and routes which are well distributed throughout the site. The open space area accounts for approximately 40% of the total site area, which is a substantial proportion of the site. It is in excess of that required under policy G5 and is therefore considered to be acceptable.
- 10.21 This proposal opens up the entirety of the river frontage, approximately 175m in length. This will link to the neighbouring Wellington Place scheme to create a river front connection all the way through to Whitehall Rd. This is a significant change to the current situation where the route between the inner ring road and Whitehall Rd is currently circuitous and better made on foot using the canal towpath. The riverside walk will provide a focus of activity for the river frontage which fully accords with the objectives of the Waterfront Strategy.
- 10.22 The existing trees on the outside of the river wall will be retained as they contribute to the ecology and biodiversity of the site. There is considerable scope for new planting within the site and this will more than off-set the loss of existing trees which will be removed.

10.23 Highways and Transportation

- 10.24 At the time of writing this report Highways Services are currently in discussion with the applicant. The impact of the development's traffic on the West Street gyratory junction of Kirkstall Road and Wellington Road is currently being assessed, this has proved more complicated than expected. The Council's highway officers are working with the applicant's highway consultant to reach agreement on this issue and the Panel will be updated verbally on progress. There is commitment from the applicant to resolve the issue as such it is requested that should the matter be resolvable then the final resolution of the matter is deferred to the Chief Planning Officer.
- 10.25 The proposal to use basement parking is fully supported as it removes vehicles from the pedestrian oriented spaces on the surface and prevents unsightly vehicle parking areas. There are set down areas on the access roads and the proposed servicing arrangements are to be taken from the surface and are to be managed by the site operators, as would be the use of the route across the site. The position of a Travel Plan Coordinator, to be funded by the applicant, will help to ensure that the

provisions of the Travel Plan are monitored and continued throughout the lifetime of the development.

- 10.26 The existing Inner Ring Road bridge presents an obstacle to movement along the river corridor. The proposed layout would allow those wishing to avoid the bridge to pass through the site, cross the Inner Ring Road slip-roads using the existing crossing points via the route under the ring road, and then pass through the City Gate site to the west and eventually down to the river. From there the, as yet undeveloped, riverside route would be easily accessible and ultimately this would provide access to the bridge across the river to the, now under construction, Otter Island site and then on to the Leeds/Liverpool Canal and the Trans-Pennine cycle route.
- 10.27 The City Connect cycle scheme passes the site along Wellington Street, crossing beneath the Inner Ring Road before heading south-west on the northern side of Wellington Road, turning along Armley Road. A connecting route is required on the southern side of Wellington Road to provide a link to the Gotts Road community and further west to the Tong Road area. In order to deliver the scheme, there is a need to widen the footway along the Wellington Street and Wellington Bridge Street frontage into the site to provide a cycle track. The applicant has shown the required works indicatively on plan which would be controlled through a suitable planning condition to be delivered by the applicant.

The proposed widening also preserves the ability to widen the Wellington Bridge Street slip road to three lanes to accommodate the committed improvement scheme for the Yorkshire Chemicals site.

10.28 Sustainability

The Sustainability and Energy Statement addresses the sustainability and energy targets set out in the Building for Tomorrow Today SPD and demonstrates how these targets can be achieved, which include:

- BREEAM Excellent for the office and mixed use commercial (and hotel if introduced) components.
- Code for Sustainable Homes Level 4 for the residential use.
- 20% improvement on Building Regulations Part L 2013.
- 10% of predicted energy needs to be met by decentralised or low carbon energy.

At this outline stage, when the buildings have not yet been designed, the agreement of these principles will provide a robust assurance that sustainability targets will be met.

10.29 Flood Risk

A suite of flood mitigation and management measures have been integrated into the proposals and layout to reduce the probability and consequence of flooding at the site. The drainage strategy will take advantage of a decrease in impermeable surface coverage and run-off will be further managed by the incorporation of sustainable drainage into the layout.

10.30 Wind

The review sets out that the wind environment would be suitable for the desired uses on the site and that there will be no areas where the wind would cause distress. RWDI have carried out a peer review and consider this element of the proposal to have been adequately addressed.

10.31 Ecology and Trees

The Ecological Assessment finds that the site has a very low intrinsic ecological value. There are no notable habitats within the site boundary and no protected or notable species were recorded either during the desk study or field survey work. The proposal would provide a significant green-space on the river frontage and opportunities for high quality landscaping will more than compensate for any loss, with a beneficial impact on the ecological value of the site. Bat surveys demonstrate some activity along the River Aire corridor but not within the site. A sensitive lighting scheme will be introduced as part of the detailed design to avoid excessive light spill and a range of measures to enhance habits for bats and birds will be considered. The planting on the outside of the river defence wall will be retained thereby avoiding impact on this existing habitat.

10.32 S106 Obligations

10.33 Adopted policies require the following S106 obligations to be provided:

- Provision of 5% affordable housing units on site
- Improvement works to the local highway network
- Public transport infrastructure contribution (£ per sqm of floor space):
 - £12 per sqm A2/B1 use - £464,670
 - £9 per sqm C1 hotel - £143,552
 - £14 per sqm A3/4 use - £55,479
 - £232 per residential unit - £46,467
- Travel Plan Review Fee (£20,000) and provision of agreed travel plan measures
- Provision of free trial membership of the city car club (£33,000)
- Ensure public access to the open space area
- Maintenance of public areas
- Ensuring ability to connect to the neighbouring site to the west.
- Local Employment Initiatives
- Education contribution for any 3-bedroom flats to be provided in the development based on the Council's standard multipliers for primary and secondary school contributions

10.34 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.'

10.34 As listed above there are matters to be covered by a Section 106 agreement. These 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.

- 10.35 In the circumstances that the application has not been determined by 6th April 2015 then the above pro-rata contributions relating to public transport infrastructure and education facilities will be replaced by the adopted Community Infrastructure Levy.

11.0 CONCLUSION

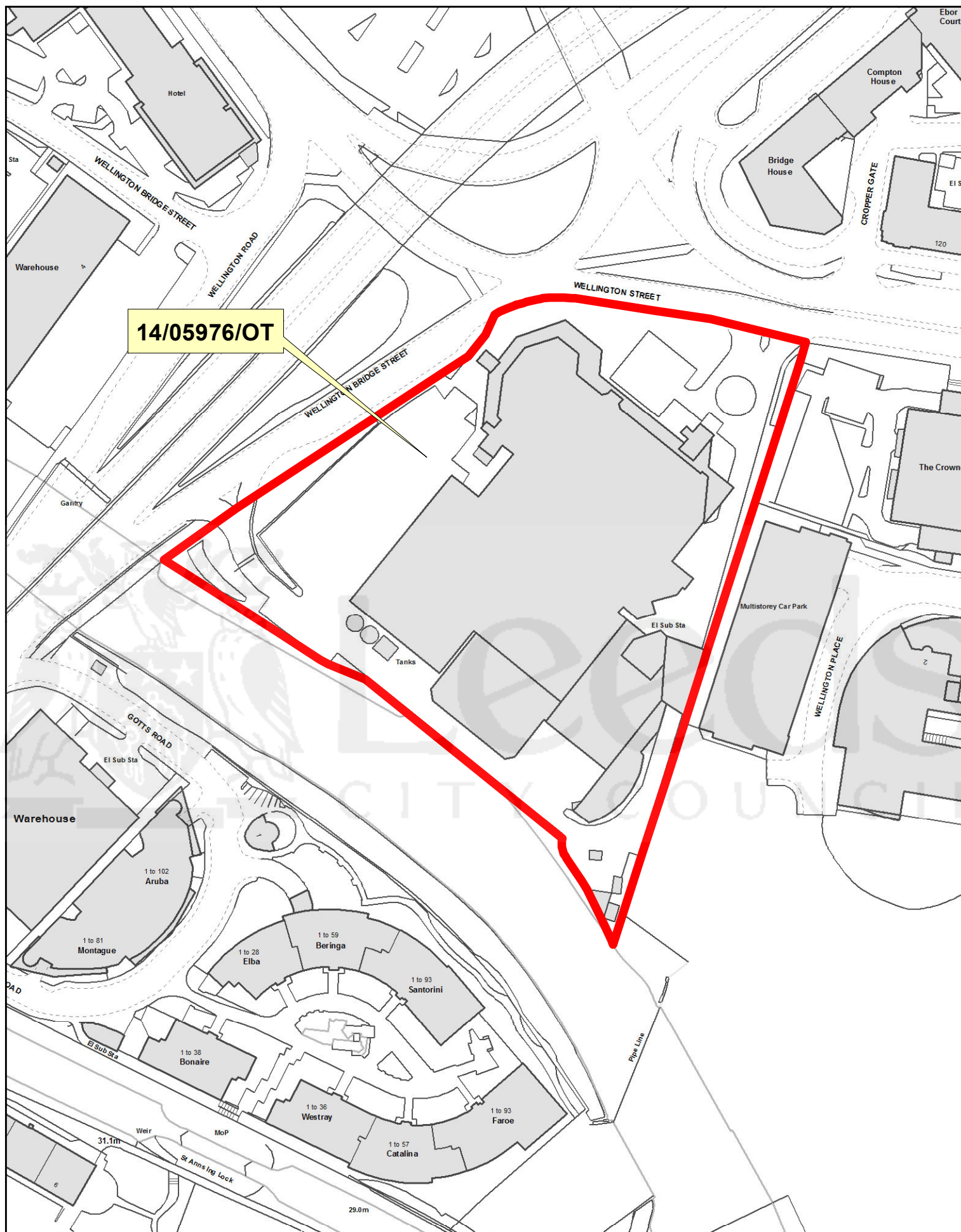
- 11.1 The scheme is in a prominent location and will act as a gateway to the city centre. The buildings would present a built frontage to Wellington St and Wellington Bridge St and provide a dynamic and positive urban grain with the opportunity to provide large areas of open space and a range of acceptable locations for a wide range of uses in an environment which is largely free of motor vehicles. It would provide links to the surrounding network of streets and allow 24 hour access through all of the public areas.
- 11.2 The site is clearly in a sustainable location and will bring a large range of uses to a site which is well connected to all modes of public transport. The submitted documents offer assurances that the buildings will be built in line with best ecological and sustainable practices and the introduction of a new riverside space to provide both a leisure and natural habitat feature, would increase the range of the city's offer to residents, workers and visitors alike.
- 11.3 There is a high likelihood that this proposal will result in a greater focus of activity and investment in the area to the benefit of surrounding buildings and sites. The proposal accords with a range of policies at National, Regional and local level and is, therefore, considered to be acceptable.

BACKGROUND PAPERS:

Pre-application file: PREAPP/14/00564

Application file: Wellington Place 06/06824/OT

Application file: Cropper Gate/Westgate 10/03459/EXT



CITY PLANS PANEL

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