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**Report of the Chief Planning Officer**

***City Plans Panel***

**Date: 29<sup>th</sup> June 2017**

**Subject: PREAPP/16/00090 & PREAPP/17/00154 Pre-application presentation for the retrospective demolition of 101-104 Kirkgate, the demolition of 10-11 Crown Court, and the construction of new residential buildings with ground floor A1 retail/A3 café/restaurant uses, basement car parking and associated public realm at 101-104 Kirkgate and Crown Street Car Park, Leeds.**

**Applicant: City Fusion Ltd.**

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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 information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.**

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**1.0 Introduction:**

- 1.1 The landowner City Fusion Ltd. and Think Architecture and Design will present the emerging scheme for the redevelopment of the cleared plots at 101-104 Kirkgate, the demolition and redevelopment of 10-11 Crown Street and the Crown Street Car Park site. Members will be asked to comment on the emerging scheme, prior to the intended submission of a full planning application.
- 1.2 This pre-application proposal does not include the neighbouring First White Cloth Hall, which is the subject of separate pre-application discussions, or the other Kirkgate frontage properties, which are the subject of recent planning applications for repair, restoration and change of use (see section 5 of this report). The repair and restoration of the Kirkgate frontage properties are supported by the offer of grants from the Heritage Lottery Fund (HLF) Townscape Heritage Initiative (THI).

No. 92 Kirkgate (Wapentake) has been restored and brought back into use under the THI scheme.

## **2.0 Site and Surroundings:**

- 2.1 Kirkgate is known as Leeds' oldest street, and the lower part of Kirkgate lies at a strategically crucial point in the City Centre between Victoria Gate, Kirkgate Market and the Riverside area. Despite its central location and historic character, it has not benefited from the recent success of the rest of the City Centre. Kirkgate lies in the south eastern corner of the large City Centre Conservation Area. The south side of Kirkgate consists of late 18th century and early 19th century three storey-houses which have had shopfronts inserted at ground floor. The townscape of the Kirkgate area contains some of the most architecturally and historically significant buildings in the city, being the historic core of Leeds and the site of continuous development since at least the Anglo Saxon period, running from Briggate to the Parish Church. Kirkgate is flanked by continuous and varied building frontages rising to the west to later Victorian buildings, which create a sense of enclosure and verticality. This is accentuated by the narrow width of individual building frontages, reflecting the medieval layout of crofts along the street. To the rear of the frontage on the south west side of Kirkgate a large open space has been created by the clearance of buildings. A car park has been created to the rear, accessible from Crown Street and by narrow through-passages in a small number of buildings on Kirkgate.
- 2.2 101-104 Kirkgate is a cleared site located on the south side of Kirkgate, facing the junction of Kirkgate and New York Street. The site is vacant following the emergency demolition of 101-102 Kirkgate in 2010, and the recent fire and subsequent emergency demolition of Hills Furniture at 103-104 Kirkgate.
- 2.3 Crown Street car park is a rough surfaced long-established use car park to the rear of the Kirkgate frontage properties, between the railway viaduct, Waterloo House and Crown Street.
- 2.4 The site lies within the designated City Centre, the Prime Shopping Quarter, a Secondary Shopping Frontage, the City Centre Conservation Area, the Lower Kirkgate Townscape Heritage Initiative and Lower Kirkgate Planning Statement area, and within the setting of a number of Listed Buildings, including:
- Grade I Corn Exchange
  - Grade II\* First White Cloth Hall
  - Grade II\* Waterloo House
  - Grade II 3-7 Crown Street
  - Grade II 23 Kirkgate
  - Grade II Westminster Buildings
  - Grade I Kirkgate Market

## **3.0 Proposal**

- 3.1 The scheme consists of two new buildings with public realm. At 101-104 Kirkgate and 10-11 Crown Court (at the rear), a part 4, part 5 storey building in red-brick and vertical metal cladding is proposed, with A3 café/bar at basement level, A1 retail and A3 café/bar units at ground floor, with flats above. The scheme proposes the demolition of the existing 10-11 Crown Court.
- 3.2 The proposal also includes the re-development of the Crown Street car park, with a new red-brick part 4/5/6/7 storey residential building, with ground floor A1 retail/A3 café/restaurant units.

- 3.3 Across the two buildings, 80 flats are proposed in total, consisting of:
- 6 studio flats ranging between 36sqm and 60sqm
  - 26 one-bed flats ranging between 50sqm and 60sqm
  - 43 two-bed flats ranging between 60sqm and 70sqm
  - 5 three-bed flats 82sqm
- 3.4 The buildings would be constructed to exceed current Building Regulations by 20% in terms of carbon emissions. On site low carbon energy usage would be achieved by air source heat pumps.
- 3.5 28 car parking spaces including 3 disabled bays are proposed at basement level below the Crown Street car park building. This basement would also include provision for 74 cycle parking spaces. The car park would be accessed via Pine Court (one-way in) and egressed via the Waterloo House access road. Bin storage would also be located inside the building, accessed from the Waterloo House access road. All refuse and recycling would be managed by private collection.

#### **4.0 History of Negotiations**

4.1 City Fusion presented their pre-application scheme for 101-104 Kirkgate and 10-11 Crown Court at City Plans Panel 7<sup>th</sup> July 2016. Members made the following comments:

- The applicant owned several other properties in the area which gave scope for co-ordinated development.
- First White Cloth Hall – It was acknowledged that the First White Cloth Hall was critical to the regeneration of the area.
- Reference was made to potential for rebuilding/restoration and it was reported that discussion had taken place between the owners and the Council regarding the buildings future.
- Concern regarding a public right of way at the site which was currently cordoned off (Crown Court)
- Concern regarding the unsightly ventilation flues situated on surrounding buildings (Crown Court).
- How to maintain the heritage of the area.
- Scope for local employment opportunities.
- Street lighting.
- In response to questions outlined in the report, Members broadly supported the demolition of 10-11 Crown Court, but had mixed views about the emerging design and agreed with the principal of a new building on the location of 101-104 Kirkgate.
- With regard to highways and transportation matters, reference was made to pedestrian access and the need for connectivity.

4.2 City and Hunslet Ward Councillors were consulted by email on 16 June 2016 and 15<sup>th</sup> June 2017.

#### **5.0 Relevant Planning History**

Recent planning activity relates to schemes for the Kirkgate frontage and nearby sites, including a number of planning application approvals and pre-application presentations to Members:

83-91 Kirkgate 16/07062/FU Change of use to mixed-use flexible retail, food and drink, office, hotel, residential and non-residential institution (A1, A3, B1A, C1, D1 and C3), and alterations including new shopfronts – application by City Fusion Ltd. pending consideration at the time of writing.

83 Kirkgate 15/04655/FU a temporary change of use of shop to hostel and art space was approved 11.09.2015 for two years by East Street Arts. This would be approved permanently under the 16/07062/FU application.

90 Kirkgate 16/04505/FU Change of use to first floor and second floor from cafe (A3) to form office (B1), alterations to ground floor cafe including new shop front by G. Storey – approved, works not commenced at time of writing.

92 Kirkgate - Wapentake (works complete and occupied)  
14/02116/FU as amended by 15/05921/FU Change of use from retail (class use A1) to restaurant/cafe and takeaway (class uses A3 and A5) by Mood Developments

93 Kirkgate 16/00109/FU Change of use from A1 to A3 and A5 use – approved and works underway by Mood Developments.

94 Kirkgate 13/03853/FU Reinstatement and repairs to the facades of the commercial property 94 Kirkgate including facade repairs, replacement shopfront, roof and windows - approved and expired. No works commenced at time of writing.

94 Kirkgate (rear of) 16/00259/FU Boundary wall and railings to rear of tattoo studio – approved. No works commenced at time of writing.

A revised application has been submitted 17/02396/FU for new shopfront, new windows to front and rear and new walls and railings to rear by Rushbond PLC which is pending consideration at the time of writing.

97 Kirkgate 16/07058/FU an application for a change of use to flexible mixed-use retail, food and drink and offices (A1, A3 and B1), and alterations including new shop front by City Fusion Ltd. - approved.

98-100 Kirkgate PREAPP/16/00532 Proposal for the repair and restoration of the First White Cloth Hall, a pre-application presentation has been made to Members at City Plans Panel 27 October 2016. Discussions are ongoing at the time of writing, with a planning application expected in 2017.

3-7 Crown Street

14/01175/LI Listed Building application for alterations including demolition of two storey rear extension, construction of staircase and lift core, and addition of a terrace and balcony to the ground and first floors by City Fusion Ltd – approved (expires 15 September 2017).

14/01174/FU Change of use from mixed retail, cafe/restaurant, hot-food take-away and office use to public house, and flexible retail, financial and professional services, café/restaurant and hot-food take-away use, with demolition of two storey rear extension, construction of staircase and lift core and addition of a terrace and balcony to the ground and first floors by City Fusion Ltd. – approved (expires 15 September 2017).

## **6.0 Consultations**

### **6.1 LCC Transport Development Services**

Highways officers have advised that the proposal is acceptable in principle, subject to the considerations in section 8 of this report.

## 6.2 **LCC Public Rights of Way**

A claimed public footpath runs between Kirkgate (adjacent to No. 90) and Waterloo House. Any diversion will need to be applied for separately to the planning application process. Pine Court is also a claimed footpath.

## 6.3 **LCC Flood Risk Management**

No objection. A drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works and Sustainable Urban Drainage Systems (SuDS) features will need to be submitted for approval. The site is classed as a major development therefore a surface water greenfield discharge rate is applied where possible (5l/s per hectare). Infiltration drainage may not be appropriate on this site, therefore underground attenuation storage methods should be investigated to achieve a greenfield discharge rate along with SuDS.

## 6.4 **West Yorkshire Archaeological Advisory Service (WYAAS)**

WYAAS would strongly recommend a pre-determination archaeological evaluation is carried out to establish if archaeological remains relating to Leeds' medieval origins survive.

## 6.5 **LCC Conservation Team**

The scale, form, materials and architectural features of the proposed new buildings have potential to enhance the character and appearance of the Conservation Area, and the special character of nearby listed buildings. The applicant will need to justify the demolition of 101-104 Kirkgate (retrospective) and 10-11 Crown Court. The applicant should engage in pre-application discussions with Historic England. Key views of the Crown Street Car Park proposal will need to be tested from the surrounding area.

## 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)
4. Any Neighbourhood Plan, once Adopted

These development plan policies are supplemented 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.

## 7.1 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:

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 the Main Urban Area, in a way that respects and enhances the local character and identity of places and neighbourhoods. New office facilities should be prioritised in the City Centre, maximising the opportunities that derive from the existing services and high levels of accessibility.

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

- promoting the City Centre's role as the regional capital of major new office and culture development
- making the City Centre the main focus for office development in the District
- comprehensively planning the redevelopment and re-use of vacant and underused sites for mixed use development

Spatial Policy 8 supports a competitive local economy through provision of sufficient supply of buildings to match employment needs for B Class Uses and developing the City Centre as the core location for new office employment.

Spatial Policy 9 seeks to provide a minimum of 706,250 sqm of office floorspace in the District.

Policy CC1 outlines the planned growth within the City Centre for at least 355,000 sqm of office floorspace and 10,200 dwellings. This will be achieved favouring locations with the best public transport accessibility. All other town centre uses will be supported within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses and that the proposal is in accordance with all other Core Strategy policies.

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

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

Policy H4 states that developments should include an appropriate mix of dwelling types and sizes to address needs measured over the long term.

Policy H5 identifies affordable housing requirements.

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. Proposals will be supported which protect and enhance existing historic assets.

Policy P11 states the historic environment will be conserved and enhanced. Where appropriate the significance of assets, impact of proposals and mitigation measures will be required to be considered through a Heritage Statement. Innovative and

sustainable construction which integrates with and enhances the historic environment will be encouraged

Policy P12 requires the quality, character and biodiversity of Leeds' townscapes, including their historical and cultural significance, to be conserved and enhanced.

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, BREEAM Excellent and at least 10% low or zero carbon energy generation on-site is required.

## **7.2 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 General Planning Considerations

N19 Conservation Area and new buildings

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

BD2 Design of new buildings

BD4 All mechanical plant

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

BC7 Building Conservation

An east-west pedestrian route is identified on City Centre Inset Map 2 to link from Pine Court to Crown Street. Crown Court is also identified on the plan as a protected pedestrian route.

## **7.3 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. Policies relating to drainage, air quality, land contamination and coal risk and recovery are relevant.

## **7.4 Relevant Supplementary Planning Documents and Guidance includes:**

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Street Design Guide

SPG City Centre Urban Design Strategy

SPD Travel Plans

SPD Parking

## **Lower Kirkgate Planning Statement 2011**

The Lower Kirkgate Planning Statement 2011 was adopted by the Council as site specific informal planning guidance for development management purposes, following public consultation in 2009 and 2011. The document was used to inform the successful Townscape Heritage Initiative (THI) bid, and is used to guide development proposals within the Lower Kirkgate THI area. The following guidance is relevant for new buildings in the area :

The guidance in the Lower Kirkgate Planning Statement states at Page 13 that any new-build or restoration works at this site should “*respect the rhythm and proportions of the Kirkgate frontage*”.

The Lower Kirkgate Planning Statement states that the scale or massing of the development should not dominate the Kirkgate frontage (paragraph 3.3a), and that the character of consistent domestic scale, narrow plots, vertical emphasis and pitched roofs is important. It goes on to state at paragraph 3.3(b) that tall buildings which break into the horizon of the Kirkgate ridge-line or Corn Exchange parapet would not be supported. Paragraph 3.3(c) identifies the key views that should be investigated to support the scheme.

The Planning Statement also states that public access to Crown Court and the rear of 101-104 Kirkgate should be secured by Section 106 agreement, in order to meet the public realm and pedestrian connectivity objectives of the Lower Kirkgate Planning Statement (section 3.4 parts a and b and section 3.5), and the Core Strategy. This would be the first step in improving connectivity and public realm in the area.

## **7.5 Other material considerations**

### **7.5.1 Emerging Site Allocations Plan (SAP)**

The site is allocated for mixed use and housing under the emerging draft Site Allocations Plan site under reference MX2-26(231) for 65 units.

### **7.5.2 The Leeds Standard and the DCLG Technical Housing Standards**

The Leeds Standard sets out the importance of excellent quality housing in supporting the economic growth ambitions of the Council. The Leeds Standard sizes closely reflects the Government’s Technical Housing Standards – Nationally Described Space Standard which seek to promote a good standard of internal amenity for all housing types and tenures. Whilst neither of these documents has been adopted as formal planning policy in Leeds given their evidence base in determining the minimum space requirements they are currently used to inform decisions on the acceptability of development proposals. The Council has committed to prepare a Development Plan Document (DPD) which will allow the national standards to be applied to new housing development in Leeds. This is programmed to be incorporated within the Core Strategy selective review, with public consultation taking place later this year.

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

The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so. It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.
- Conserve and enhance the natural environment
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land)
- Promote mixed use developments and encourage multiple benefits from the use of land in urban areas



- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are, or can be, made sustainable
- 

Planning should proactively support sustainable economic development and encourage the effective use of land including the reuse of land that has previously been developed.

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

The Government attaches great importance to the design of the built environment. Section 7 (paras 56-66) states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The National Planning Policy Framework (NPPF) includes policies relating to heritage assets and states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 17 of NPPF states that “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations “.

Section 12: Conserving and enhancing the historic environment. In particular paragraph 131: In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

In accordance with the NPPF (para 126-141), an assessment of the significance of the buildings as part of a heritage asset (positive features in the Conservation Area

and the setting of Listed Buildings) is required, and an assessment what the optimum viable use for the site is, based on the option that would do least harm to the heritage asset. The guidance states that the optimum viable use is not necessarily the most profitable use for the site.

Paragraph 134 would be relevant in determining an application, namely that: *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”* Retrospective and proposed demolitions within Conservation Areas would be subject to Paragraph 134 of the NPPF.

## **8.0 Key Issues**

### **8.1 Principle of use**

8.1.1 In planning policy terms the principle of A1 retail and A3 café and restaurant ground floor uses with residential above would be acceptable in this location, subject to detailed planning considerations.

### **8.2 Impact of the design, scale and layout of the proposed buildings on the character and appearance of the Conservation Area and the setting of nearby Listed Buildings**

8.2.1 The site is an important element in reinstating the street frontage of Kirkgate, acting as a transition block between the lower-rise historic street frontages to the east, and taller Victorian development to the west. The scale, massing, fenestration and materials have been designed to complement the historical setting. The proposals provide an interpretation of historical architectural language and features, whilst making a modern contribution to the streetscape. The Kirkgate elevation of the new building would feature a vertical emphasis with a clearly defined simple “base, middle and top” order. It is considered that along the Kirkgate frontage, a modern scheme resulting in a complementary part 3/part 4 storeys, would be acceptable, provided that the window proportions and rhythm should follow the surrounding historic buildings. In terms of external materials, a light red-brick would be supported in this location as the principle building material. Metal cladding features, would be acceptable, subject to appropriate detailing and exact details. With regard to roof detailing and materials, stone or Welsh slate are the predominant roofing material in the area, and would be an appropriate material for the front roof pitch to Kirkgate.

8.2.2 The development would also offer the opportunity to improve existing links and create new links to connect Call Lane, Crown Court, Crown Street and Kirkgate creating attractive public realm to the south of the First White Cloth Hall, as set out in the Lower Kirkgate Planning Statement. Active frontages to Crown Court and the new public realm to the rear of 101-104 Kirkgate will be required to animate the space, make new pedestrian routes feel safe, and enhance the setting of nearby listed buildings and the conservation area.

8.2.3 In terms of views from the south from Crown Street at the junction of Assembly Street, it is considered that the rear of the new building would provide an appropriately scaled and detailed ‘back-drop’ to the Grade I listed Corn Exchange and the Grade II listed 3-7 Crown Street. The application will need to ensure that the consideration of building services such as rooftop maintenance rails, air handling units, chillers and flues are factored into the detailed design, to avoid punctuating the skyline with insensitive additions to the roof-form.

8.2.4 Regarding the proposed demolition of 10-11 Crown Court, these are considered to be positive buildings within the Conservation Area. As part of their application submission, under the requirements of the national planning policy guidance and the NPPF, the applicant will need to demonstrate that the scheme has wider public benefits, such as environmental improvements. The starting point is therefore the retention of the existing building, notwithstanding that there is an opportunity to refurbish and extend in an appropriate manner. Whilst the proposal for the demolition of 10-11 Crown Court is considered harmful in conservation terms, the harm is considered to be 'less than substantial' to the significance of the designated heritage asset (the Conservation Area and the setting of Listed Buildings), and subject to appropriate justification of the quality of the new development and that the proposal represents the optimum viable use for the site in heritage terms, on balance, this may be considered acceptable.

**Do Members support the demolition of 10-11 Crown Court and replacement with a modern building?**

8.2.5 With regard to 101-104 Kirkgate, the site is currently vacant. Emergency demolition of 101-102 Kirkgate took place in 2010, caused by the partial collapse of the building and the west wing of the First White Cloth Hall. Hills Furniture at 103-104 Kirkgate was recently destroyed by fire and the remainder of the structure demolished for safety reasons. The proposal for redevelopment of these two vacant plots is not a "like-for-like" replacement of the former buildings. Officers are of the view that it is not necessary to provide like-for-like replacement buildings. A contemporary building could enhance the character and appearance of the Conservation Area and the setting of nearby Listed Buildings, is more likely to be a viable building for future uses, and be more environmentally sustainable.

**Do Members agree the principal of a modern design on the location of 101-104 Kirkgate rather than a like-for-like replacement?**

8.2.6 There is a generally consistent emerging height and building line to this part of Kirkgate. The building proposed for the car park site would step up from 4 storeys at the western end, to 7 storeys at the eastern end. Key views of the Crown Street Car Park proposal will need to be tested from the surrounding area, as advised in the Lower Kirkgate Planning Statement, to ensure that new buildings do not unduly affect the skyline and the setting of the First White Cloth Hall, the Corn Exchange or the Kirkgate streetscene as a whole.

**Subject to testing of key street views, do Members support the emerging design of the building proposed on the car park?**

**8.3 Residential Quality, Mix and Sustainability**

8.3.1 The applicant has provided an indicative typical building layout that demonstrates that the proposed dwellings would be an appropriate size, layout, daylight, circulation and juxtaposition of living functions. However, some flats facing Crown Court would feature an L-shaped living room and kitchen, and the applicant will need to demonstrate that there would be sufficient daylight to the kitchen areas.

8.3.2 It is considered that the indicative layout generally offers satisfactory privacy relationships and outlook within and around the building. The new buildings have been designed to avoid overlooking between new flats within the scheme, and those

proposed in the current application for change of use to residential at the upper floors of the existing Kirkgate frontage properties.

- 8.3.3 The proposal includes some 3-bed units, however it would not be 20% of all flats proposed as required by Policy H4. The applicant will therefore need to justify their approach to the proposed indicative mix of dwellings, including the reduced provision of 3-bed units.
- 8.3.4 The applicant will need to demonstrate that the proposed flats have been designed to ensure satisfactory amenity and minimise nuisance from existing road, rail, external mechanical plant and late night entertainment noise, including noise from new ground floor premises and mechanical plant within the proposed scheme.

**Do Members have any comments on the quality and mix of residential accommodation proposed?**

## **8.4 Highways and Transportation**

- 8.4.1 Pursuant to Highways officer advice, the applicant has provided further details of parking and servicing arrangements, and this will be considered and updated verbally. This includes refuse, servicing and delivery arrangements, including ad-hoc deliveries and drop-off/pick up. The servicing and delivery arrangements for 101-104 Kirkgate and Crown Street car park should take account of servicing and delivery options for the Kirkgate frontage properties including the First White Cloth Hall as indicated in the Lower Kirkgate Planning Statement, so that practical operational needs to support the wider regeneration of the area are not prejudiced. The ground floor of 101-104 Kirkgate would be serviced from the existing loading bay on Kirkgate. Access for servicing of the other units and resident car parking would be one-way in from Pine Court, and exiting via Crown Street. Pine Court is not suitable for larger delivery vehicles or refuse vehicles, which would need to be accommodated on Crown Street or Kirkgate. Secure enclosed long stay staff cycle parking will be required, as well as short-stay visitor/customer cycle parking within the public realm. A Travel Plan will be required to cover the range of uses proposed. It must have robust measures appropriate for a scheme with a low level of car parking. A Travel Plan monitoring fee would be required, calculated in accordance with the Travel Plan SPD, and this would be secured by a Section 106 Agreement.

**Do Members have any comments on highways and transportation matters, including the approach to car parking and servicing?**

## **8.5 Planning obligations**

- 8.5.1 Adopted policies are likely to result in the following necessary Section 106 matters:
- Affordable Housing 5% on-site in accordance with the policy for the area. The scheme is likely to be a Private Rented Sector (PRS) model and the applicant would like to discuss how the obligation will be delivered.
  - Sustainable Travel Fund
  - Travel plan monitoring fee
  - Public access to the spaces between buildings
  - Cooperation with local jobs and skills initiatives

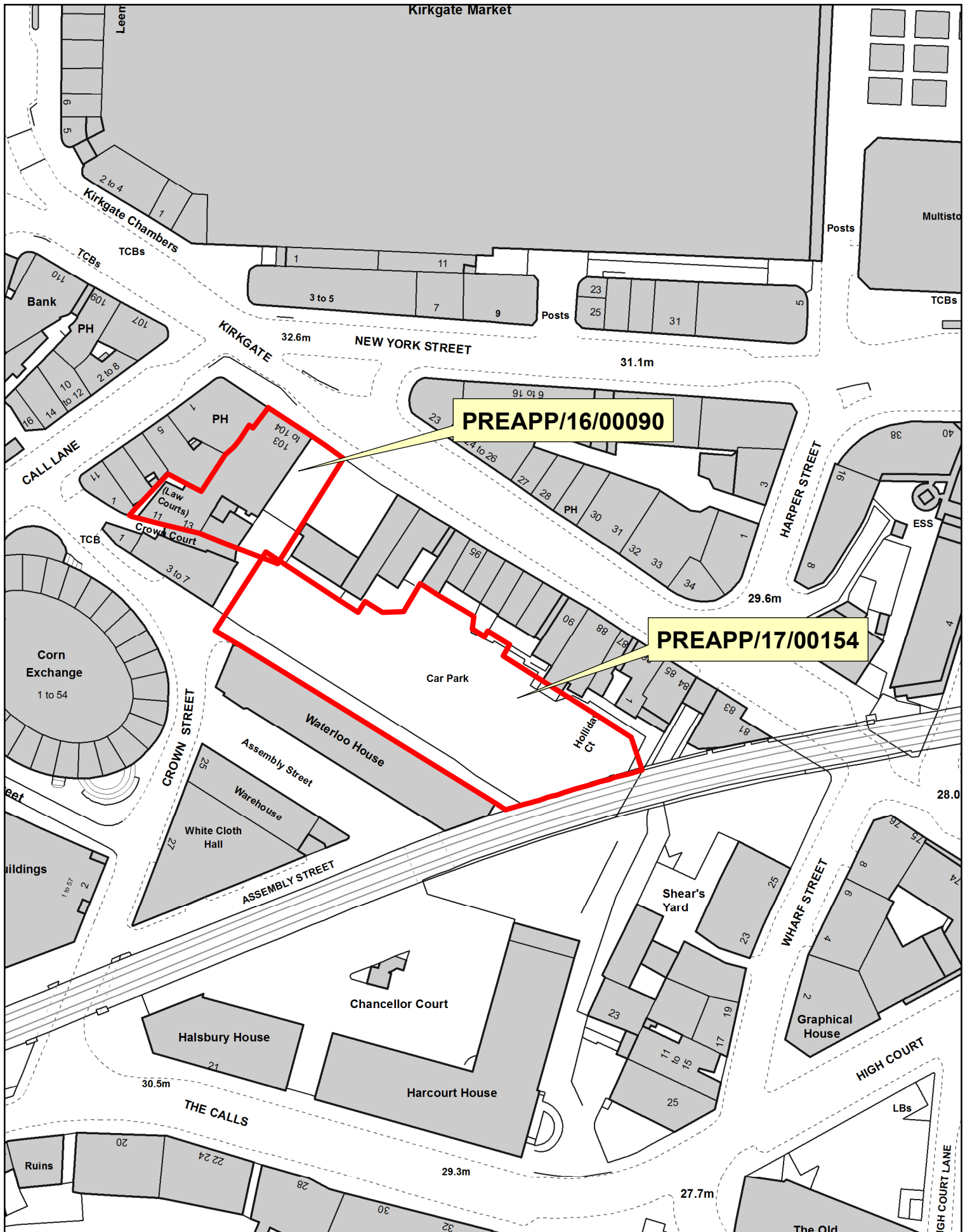
## **9.0 CONCLUSION**

Members will be advised of the details of this emerging scheme and are asked to provide responses to the following:

- 9.1 Do Members support the demolition of 10-11 Crown Court and replacement with a modern building?
- 9.2 Do Members agree the principal of a modern design on the location of 101-104 Kirkgate rather than a like-for-like replacement?
- 9.3 Subject to testing of key street views, do Members support the emerging design of the building proposed on the car park?
- 9.4 Do Members have any comments on the quality and mix of accommodation proposed?
- 9.5 Do Members have any comments on highways and transportation matters, such as the approach to car parking and servicing?

**Background Papers:**

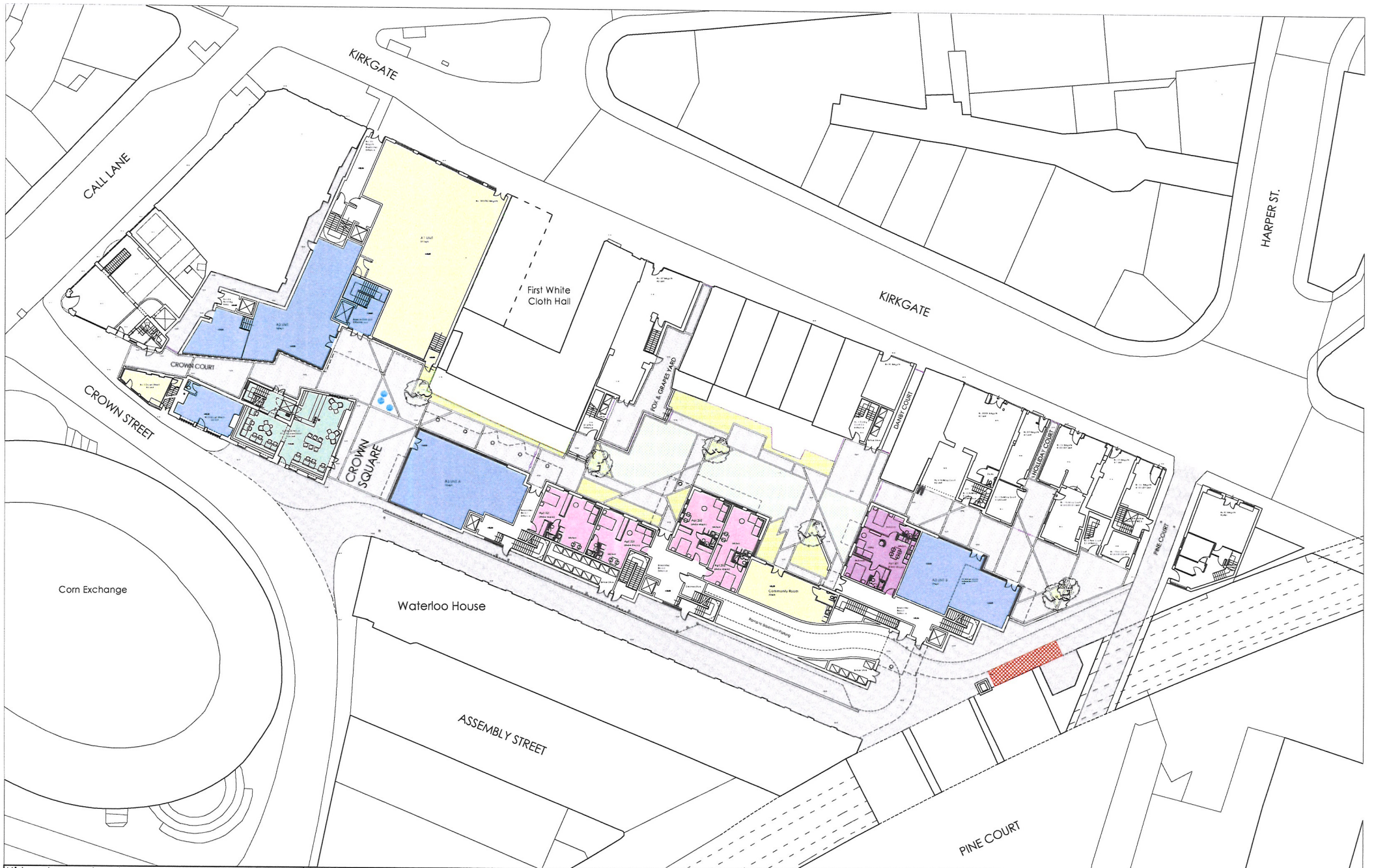
Pre-application files: PREAPP/16/00090 & PREAPP/17/00154



# CITY PLANS PANEL







Kirkgate Masterplan - Ground Floor  
Scale 1:200



Note: All dimensions given must be verified by the contractor before manufacture or commencement of any works or installations. Any discrepancies to be reported to the Architect.

REV	DATE	BY	CHKD	DESCRIPTION

Think  
Contractor must verify all dimensions on site before commencing any work of major alterations. If this drawing includes the quantities given in any way for Archibutey, they are to be informed before the work commences. Do not scale off this drawing. Drawings based on Ordnance Survey and F.U. or existing records drawings. Design and drawing content based on the relevant structural survey, site investigations, planning and statutory requirements and approvals. Authorised reproduction from Ordnance Survey Map with permission of the Controller of Her Majesty's Stationery Office. Crown Copyright reserved.

FOR INFORMATION		think architecture design	
Project: Kirkgate Leeds	Scale: 17_011	Drawn By: SXD	Checked By: SHS
Client: Kirkgate Masterplan Ground Floor	Revision: 17_011(SK)002	Date: 01.06.2017	Revision: A