



Report of the Chief Planning Officer

City Plans Panel

Date: 12th October 2017

Subject: Planning Application Reference 17/02501/OT Outline application (all matters reserved except for access) for a phased mixed use development comprising demolition of existing buildings, up to 850 residential units (C3), business uses (B1), flexible commercial uses (A1, A2, A3, A4, A5, B1, D1, D2), hotel use (C1), public realm including a City Park and vehicular access at Former Tetley Brewery, Hunslet Road Hunslet, Leeds LS10 1JQ

Applicant: Vastint Leeds BV

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network and the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- 5% on-site affordable housing in accordance with policy for the area at a pro-rata mix, split 60:40 lower decile:lower quartile income
- Off- site highways works being a new pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000, City Connect cycle scheme contribution £364,000 and Sovereign footbridge contribution £500,000
- Sustainable travel fund £162,488.75
- Car club contribution £69,350
- Travel plan monitoring fee £20,000
- City Park strategy plan
- Public access through the site including new pedestrian/cycle routes and the City Park
- Cooperation with local jobs and skills initiatives

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.

Conditions

Draft Conditions for 17/02501/OT are attached at Appendix 1 of this report.

1.0 Introduction

1.1 This recommendation relates to the proposed major development of part of the former Tetley Brewery site, in the South Bank area of Leeds City Centre. The scheme would make a substantial contribution to the proposed City Park and planned new housing provision and place-making opportunities for the South Bank and Aire Valley. It would also provide significant employment and economic growth opportunities in a location close to the proposed High Speed Rail 2 (HS2) station.

2.0 Site and Surroundings

2.1 The outline application is for the first part of Vastint's overall former brewery landholding, and relates to the redevelopment of the area of land including Crown Point Road to the east, Waterloo Street and Bowman Lane to the north, Meadow Lane to the west and Hunslet Road (A61) to the south, a total area of 9.7 hectares. 6.69 hectares of the defined application boundary is land within the applicant's ownership. The second part (1.98ha) of the applicant's ownership does not form part of this application and is the area between Crown Point Road, Black Bull Street and Hunslet Road (A61). Phase 2 will be the subject of a future planning application.

2.2 The site is located in the City Centre as designated in the Development Plan. It is also within the adopted South Bank Planning Statement 2011 and emerging Aire Valley Leeds Area Action Plan areas. The site has been under-utilised since 2011 when the brewery closed, and most of the brewery buildings were demolished. The site is currently in use as a temporary car park, temporary greenspace, temporary training facility for ASDA, and an art hub at The Tetley building.

2.3 The proposal has potential to contribute to planned new housing and jobs provision and place-making opportunities for the South Bank/Aire Valley area. The site is currently unallocated in the saved LDF Proposals Map, but is allocated for mixed use including residential in the emerging Aire Valley Area Action Plan under site reference Site AV94.

2.4 The site lies in flood risk zones 2 and 3.

2.5 The Tetley building and gatehouse are unlisted heritage assets in the phase one application site boundary. Outside the phase one site, the Grade II listed Salem Chapel lies to the west, between Hunslet Road and Hunslet Lane, and the Grade II* listed Chadwick Lodge is to the east of the site at the junction of Crown Point Road and Black Bull Street. To the south east of the phase one boundary are the Grade II Listed former Alf Cooke Printworks, the Grade II Listed Buildings at Risk at Crown Point Road/Hunslet Road, and unlisted heritage assets at Duke Studios at Sheaf Street, the vacant Crown Pub, and the former malshouses at Waides Yard facing Cudbear Street and Crown Point Road. The City Centre Conservation Area boundary lies at the north-west edge of the site at Bridge End, and includes Grade II listed buildings such as Leeds Bridge House, the Adelphi Public House, the Old Red Lion Public House, and Leeds Bridge. Due to the scale of the proposed development, the significance and setting of heritage assets further away from the

site has been examined, including the Grade I listed Leeds Minster and views from within the Leeds City Centre Conservation Area.

- 2.6 The surrounding area features a wide range of existing land uses. To the north of the site along Bowman Lane and Waterloo Street are residential blocks ranging between 5 and 13 storeys including those at Brewery Wharf. To the east lies the mixed use residential development at Leeds Dock, and the education hub of Leeds College of Building, Ruth Gorse Academy, Leeds City College and Leeds University Technical College (UTC). To the south is a mixture of retail at Crown Point Retail Park, and offices at Leeds City Office Park. To the west lies the Asda office headquarters, New Lane office park and the River Aire corridor.

3.0 **Proposal**

- 3.1 The proposal is an outline planning application (all matters reserved except for access) for a phased mixed use development comprising demolition of existing buildings, up to 850 residential units (C3), business uses (B1), flexible commercial uses (A1, A2, A3, A4, A5, B1, D1, D2), hotel use (C1), public realm including a City Park and vehicular access. The application includes the following maximum floorspace and uses:

- Demolition of existing buildings - the five storey modern office building known as Tetley House (formerly Huntsman House), the former gatehouse adjacent to The Tetley and the single storey warehouse building and all existing boundary walls on a phased basis.
- Up to 850 residential units (use class C3) comprising the following mix;
 - 10% Studio: 85 units
 - 27% 1 Bed: 230 units
 - 43% 2 Bed: 365 units of which 12% are flexible residential units
 - 20% 3 Bed: 170 units of which 12% are flexible residential units
 - 5% of the residential units will comprise affordable housing
- 85,000 sqm of B1 office floorspace
- 15,000 sqm of flexible commercial uses floorspace providing up to the following maximum:
 - Retail (use class A1) up to 8,000 sqm with no unit larger than 1200 sqm
 - Financial and Professional services (use class A2) up to 500 sqm
 - Cafes and Restaurants (use class A3) up to 8,000 sqm
 - Drinking Establishments (use class A4) up to 4,000 sqm
 - Hot Food Take Away (use class A5) up to 300 sqm
 - Business (use class B1) up to 2,000 sqm
 - Non-Residential (use class D1) and Assembly and Leisure (use class D2) up to 4,000sqm
- Up to two hotels with a combined total of 400 beds (use class C1);

Vehicular accesses are proposed:

- Site Access with Crown Point Road (North)
- Site Access with Crown Point Road (South)
- Site Access with A61 Great Wilson Street
- Site Access with Meadow Lane

- Site Access with Waterloo Street
- Site Access with Hunslet Road (Stopping Up)
- Two main tree-lined access roads Street 'X' and Street 'Y'

Car and cycle parking proposed:

- Car parking up to 860 spaces (including 83 disabled parking spaces) in four basements
- Cycle Parking a minimum of 1,974 spaces
- Motorcycle Parking up to 221 spaces

City Park

- A minimum of 2 hectare of public realm as a contribution to the City Park (30% of the applicant's ownership within the application site area) plus additional public routes, semi-private and private open spaces

3.2 Vastint propose an indicative layout and scale of buildings and spaces in support of their outline planning application for this first phase. This would be formed in 8 principal blocks (see attached Proposed Block Plan at Appendix 1). For reference the indicative development plots and their maximum and minimum height parameters in metres would be (storey heights are approximate based on 3m storey height residential and hotel, and 4m storey heights for offices and other commercial use classes):

- MU1 13m to 90m (30 storey hotel with ground to fourth floor offices/other commercial uses)
- MU2 17.4m to 41.3 and 50.4m (up to 10 storeys along Great Wilson Street, rising to 17 storey residential or offices at eastern end)
- MU3 42.6m to 51.9 (10 storeys offices)
- MU4 34.2m (8 storeys commercial uses)
- R1 73.5m to 119.7 (24-39 storeys residential)
- R2 32.2m to 37.8m (10-12 storeys residential)
- R3 24.5m to 51m (8-17 storeys residential)
- R4 50.4m (16 storeys residential)

3.3 A series of perimeter blocks are proposed to define the plot boundaries, including the indicative positions for mandatory plot subdivisions which would form public pedestrian and cycle routes through the site. The Building Line Requirements Parameter Plan establishes a series of differing building line requirements to respond to the existing urban fabric and the intended layout of the proposed development. These are:

- Blue Building Line – is an indicative building line, overstepping acceptable to a maximum of 5 metres. Moving back or set-backs in the building lines are acceptable to create features, interest and variety
- Green Building Line - would form the linear edge to the park. The building line may be moved forward to a maximum of 3 metres with the exception of areas next to The Tetley and Salem Chapel. Further projections to form balconies, oriels or projecting bays at upper floors would be permitted.
- Yellow Building Line – is a fixed building line to streets and roads. Setbacks according to individual plot description in the Design Code. Bays, balconies and oriels projecting beyond the building line are allowable to a maximum of 2 metres.

- The Flexible Commercial Uses would be accommodated at ground and upper levels in order to provide active frontages including to the proposed City Park and two new proposed east/west streets.

3.4 The City Centre Park, created by a series of phased linked “stepping stones” as first identified in the South Bank Planning Statement 2011, is an important aspect of Vastint’s proposals. As envisaged by the Council’s adopted vision, the Park would be formed over time by an area of land starting along the River Aire embankment in the west, sweeping across the former Tetley brewery site, giving over 3.5 hectare of greenspace made up of linked elements, including the Council’s own land in Meadow Lane, and extending to the south east across Crown Point Road. Vastint propose in phase one of their scheme to contribute 2 hectares to the City Park, and would ultimately link to a further greenspace area to the south east in phase two (area 0.46ha). The park would be in an arc-shape across the former brewery site, principally running on a north-west to south-east orientation via a central space at The Tetley, with smaller areas of greenspace and courtyards between buildings, including a new greenspace facing Bowman Lane. From a planning perspective, detailed allocation of functions such as events, play, recreation, landscape design and planting proposals for the park would form part of future reserved matters application(s).

3.5 Vastint have adopted the following design philosophy, inspired by the Council’s adopted vision set out in the South Bank Planning Statement 2011, and subsequent ambitions for the area:

- Improve connectivity by linking communities to the south with the South Bank and the City Centre, linking the future HS2 to Leeds Dock, and linking the city centre to the South Bank and the Aire Valley;
- Provide a wide mix of uses creating a sustainable and vibrant neighbourhood within the City Centre;
- Contribute to the City Centre Park, with the Tetley Building as a central focal point, with active ground floor uses and frontages to frame it;
- Enable new city centre living by creating a sustainable mix and type of dwellings, and stable communities, through “flexible” dwellings, with residents being able to expand and contract the number of rooms within their flat or house without moving, so that residents can adapt their living spaces to meet their changing circumstances;
- Be a catalyst for the transformation of the South Bank, by connecting to the north, providing east to west movement into the Aire Valley and to communities to the south.

3.6 The outline planning application is supported by the following documents:

- Parameter Plans & Highways Access Drawings
- Design Strategy
- Design and Access Statement
- Air Quality Assessment
- Arboricultural Impact Assessment
- Archaeological Desk Based Assessment
- Built Heritage Statement
- Coal Mining Risk Assessment
- Coal Recovery Report
- Daylight and Sunlight Report
- Ecological Appraisal Report
- Employment Framework Travel Plan
- Energy and Sustainability Statement
- Flood Risk Assessment

- Flood Risk Assessment Sequential Assessment and Exceptions Test
- Geo-environmental Assessment (land contamination)
- Microclimate Wind Assessment
- Noise Assessment
- Planning Statement
- Residential Travel Plan
- Retail Assessment and addendum
- Statement of Community Involvement
- Sand and Gravel Recovery Report
- Sustainable Drainage Statement
- Townscape and Visual Appraisal and addendum
- Transport Assessment and addendum
- Utilities Assessment

3.7 For the purposes of environmental testing including townscape and visual assessment and wind, the “Rochdale Envelope” is an acknowledged approach for environmental testing when considering planning applications where full details of a project are not available at the time such as outline planning applications, and where subsequent applications will be submitted over time (such as the Reserved Matters applications). It represents the maximum extent set by the Parameter Plans to which the Reserved Matters must accord. However, this is also subject to the other limitations specified in the planning application such as the Design Strategy and the limitations set out in the proposed description of development which control the amount of floorspace, dwellings, car parking and the form of development, and therefore the maximum extent would not be possible in every combination.

4.0 History of Negotiations and Relevant Planning History

- 4.1 At pre-application stage the applicant presented their initial scheme to Members at City Plans Panel on 6th October 2016. In response to Members comments and questions, the following was discussed:
- The proposed development site was an important location and high design standards and aspirations were required including towards sustainable construction
 - Important site for connectivity to other parts of the city
 - Proposed development needs to be in context with adjoining areas
 - Further details around pedestrian access required
 - The creation of a City Centre Park was welcomed but needs to incorporate the highest quality of design which functions as an exciting multi-purpose space
 - Possible water feature within the Park
 - Members considered the principal of the proposal for a mixed – use residential, office and hotel scheme with ground floor retail, cultural and leisure uses, strong pedestrian routes and a new park was appropriate.
 - Members were satisfied with the approach to flexible residential accommodation.
 - The emerging scale and layout of the development, including the approach to the City Centre Park was generally acceptable
 - Further understanding of the detailed car parking and access arrangements was required.
- 4.2 During the course of the application, a number of issues have been the subject of discussion, leading to revisions to the scheme and supporting information. Notably these have included a reduction made in the height of the tower in Plot R4 70.2m to 50.4m to take account of officer and Historic England concerns regarding the impact on the setting of the Grade I listed Leeds Minster. Technical matters have also been progressed including micro-climate wind impact, local and strategic highways

issues, flood risk, retail impact and birdstrike management with Leeds Bradford Airport.

4.3 Under planning reference 17/02718/FU planning permission was granted for the continued use of the site as temporary car parking. This permission expires in 2022.

4.4 Planning application 11/05031/FU for the change of use of part of brewery site to provide temporary long and short stay car parking, green space and alterations to existing surfacing and existing boundary treatments. Change of use of headquarters building to provide new cultural hub including ancillary café/bar (A3/A4) at ground floor and outdoor seating area was approved on 2nd August 2012, following a resolution to grant approval in principle at City Plans Panel 15th March 2012. The permission granted a temporary consent for car parking use with no more than 601 long stay spaces and 226 short stay spaces, and a cultural hub use, pedestrian route and temporary greenspace.

5.0 Public/Local Response:

5.1 Planning application publicity

- Site Notices posted 28.04.2017
- Press Notice published 28.04.2017
- City and Hunslet Ward Councillors consulted by email 24.04.2017

5.2 Comments from Leeds Civic Trust (LCT) can be summarised as follows:

- The site is the largest in the South Bank and will have pivotal role in the future of the area, it is therefore important that the mix, layout and design of the proposed uses meet the aspirations for the area and are of the highest quality.
- There is concern that with the approval to extend the time period of the temporary car parking at the site for a further five years, this suggests that there is no commitment to delivering the development soon.
- The inclusion of the surrounding highway and other ownerships in the red-line is supported however no proposals are shown for this land, which leads to uncertainty around how the site will integrate with adjoining land and connect onwards across Meadow Lane to the waterfront for example
- However, omitting the applicants' land to the east of Crown Point Road is a concern, with regard to the Park proposals and connections to the education hub on Black Bull Street, and the future of the listed buildings on Crown Point Road.
- LCT support the ideas for the location, use and layout of the City Park, and makes suggestions for the detailed design stage such as informal landscaping, water features fed by sustainable drainage systems, allotments for local residents, for servicing there should be pedestrian dominated shared spaces for all users not conventional roads within the site.
- Green roofs should be required not just optional
- LCT states that ground floor active uses should be required not just optional throughout the development to ensure that the residential plots R1, R2, R3 and R4 are active during the day, and that the areas around commercial plots MU1, MU2 and MU3 are active during evenings and at weekends. Facilities for all ages from children to the elderly should be required. The idea of flexible lifetime homes is supported, however questions are raised regarding older people and families living in taller buildings. Without details on the design of the public and private realm it is difficult for LCT to comment on layout, scale and massing of proposed buildings. The design of the physical environment should help families and children flourish and interact.
- LCT have no objections to tall buildings in principle, but questions how these would work when occupied by families. The impact of the development on wind

and overshadowing should be studied. There should be careful consideration of the impact of Block R4 on Leeds Minster [*now revised*].

- There is no indication of exact car parking ratios within the basements. In view of the site's sustainable location there should be a radical approach to the use of cars and to promote healthier alternative means, for example car club promotion.
- Flood risk levels mean that ground floor design needs careful consideration
- In summary LCT believes the scheme has the potential to create an attractive park, although they have reservations about how uses in the buildings would be mixed, how well the scheme would suit people of all ages, and whether it will achieve the aims of the South Bank Planning Statement 2011, of creating a sustainable place to live.

5.3 Comments on behalf of ASDA, who as owners of the petrol filling station on Meadow Lane and lessees of the temporary ASDA Merchandising Centre of Excellence warehouse at the site, request more information on the detailed phasing of the proposed development.

5.4 Comments from Duke Studios, Sheaf Street, to the east of the site, can be summarised as follows:

- As a local business to the east of Crown Point Road, they are concerned that the phasing of the development construction could cut-off their premises to pedestrians. They would be keen to see the 'Hunslet Stray' element of the scheme (on the old line of Hunslet Road between The Tetley and Crown Point Road) completed first, which would benefit not only themselves but the education hub to the south east (Ruth Gorse Academy, Leeds College of Building, Leeds City College Printworks and Leeds UTC).
- This planning application is only for phase one to the west of Crown Point Road. They wish to see measures in place to ensure that phase two is also delivered.
- The positive meanwhile use of vacant land in phase two should be linked to the approval of phase one. This could be a partnership between Vastint, local businesses and the Council.
- The design of the park should be edgy, ground-breaking and daring, not bland, and not just a compilation of ideas from other cities.
- As local residents of Brewery Wharf also, they would like to see a small park area along Bowman Lane delivered before the taller buildings to the south of it, as these flats will be subject to years of development work close by.
- They would be keen to see additional affordable underground public car parking for visitors to the area, as the existing on-street car parking in the area may be lost in the future due to downgrades in the highway network
- Construction hoardings are an inevitable part of development, these are a major opportunity for public art for local community groups and artists, and an opportunity to sign post attractions in the area.

5.5 Objections were received from two local residents at Brewery Wharf to the north of the site, in summary relating to the following concerns:

- the excessive overbearing scale, height, form and position of the proposed buildings MU4 and R1 would significantly affect amenities of flats at One Brewery Wharf, in particular overshadowing, loss of light and overlooking, affecting the peaceful enjoyment of their property,
- Building R1 would also look out of place and out of character due to its height.
- potential noise, disturbance and odour from a hotel, restaurants and cafes, and hot food takeaway outlets, that would significantly increase the foot traffic and consequent noise levels in the area, particularly in the late evening and through the night.

- the Council has responsibilities under the Human Rights Act, in particular Protocol 1, Article 1. This states that every person has the right to peaceful enjoyment of all their possessions, which includes the home and surroundings, and the State must not interfere with this - if MU4 and R1 were to be developed in the scale and position as laid out in the outline planning application, this would result in the loss of a human right to the peaceful enjoyment of property at One Brewery Wharf.
- there will be a large increase in road traffic along Waterloo Street and turning into the newly proposed Street "X" (the turn-off being directly outside an objector's property), which will significantly raise levels of noise, disturbance and dangerous exhaust fumes. This would have a detrimental impact on enjoyment of the property by affecting the use of the balcony and opening of windows for ventilation.
- an open park area should be relocated along the entire breadth of Waterloo Street and Bowman Lane, so that permanent local residents can continue to enjoy the privacy and peaceful enjoyment of their homes and not be adversely affected by the new development.

5.6 City and Hunslet Ward Councillor Nash supported the 2 residents' concerns that an open space should be in front of Brewery Wharf for the benefit of local residents.

6.0 Consultations Responses:

6.1 Statutory:

6.1.1 Leeds City Council (LCC) Transport Development Services

Although some further information is awaited regarding the modelling and distribution impact on the local road network, Highways officers consider that there is unlikely to be significant detrimental impact. Planning conditions are recommended regarding the level of uses/floorspace, level of car parking, cycle parking, electric vehicle charging points, car park management and access control, refuse strategy and servicing management plan, 3m wide footway to Crown Point Road, car club bays, all associated Traffic Regulation orders, and Section 106 obligations regarding off-site highways works including a pedestrian crossing to Crown Point Road and off-site pedestrian and cycle improvements in the vicinity of the site, Travel Plan Monitoring, car club trial provision and sustainable travel fund.

6.1.2 Highways England

Holding recommendation – further information is required on the impact of the application proposal on the strategic road network (SRN):

a) Junction assessments and merge/diverge assessments should be undertaken for the following SRN junctions in the morning and evening peak hours at opening year and 10 years post registration of the planning application (i.e. 2027):

- M621 junctions 1, 3, 4 and 7
- M1 junctions 44 and 45

These assessments should include the trips associated with the flexible use element of the proposed development and the committed developments. A sensitivity test should also be undertaken to assess the cumulative impact of the proposed development and the other committed developments.

b) Should junction assessments and merge/diverge assessments indicate that there is insufficient capacity to accommodate the proposed development, appropriate mitigation would need to be identified and agreed with Highways England.

Discussions to address the above comments between the applicant, the Council and Highways England are ongoing at the time of writing the report.

6.1.3 Historic England

Historic England welcomes the regeneration of this large and important site but has concerns regarding the application on heritage grounds. This development would affect the setting and significance of several heritage assets in the City Centre. Historic England have made detailed comments on the impact of the proposal on heritage assets which can be summarised as follows:

- Plot R4 - Historic England welcomes the reduction in height of the tower R4 to a maximum of 50m as revised. This addresses their previous advice regarding the harmful impact of the previously proposed height of R4 on the setting of Leeds Minster by detracting from the prominence of the Minster tower.
- Plot R1 – R1 is sufficient distance away from the Minster to avoid harming its setting and significance.
- Plot MU1 – MU1 would have an impact on the City Centre Conservation area and setting of listed buildings in views north to south along Briggate, in particular the gentle sloping topography, open vista to the ridge to the south, an enclosed historic commercial streetscape and a varied and characterful roofscape which includes elaborate detailing and decoration in terracotta, cupolas and finials. A block of the proposed height and width would not preserve or enhance the conservation area. If minded to accept a tower of this height in this prominent location, Historic England would advise that careful attention is paid to ensuring that the design is of an appropriate quality befitting its landmark status in this key view to create a subtle design with a slender silhouette.
- Plot MU3 has an impact on dynamic views of the Grade II listed Bridge House and Grade II listed Adelphi Public House and the City Centre Conservation Area. MU3 would cause harm to the significance of Bridge House by detracting from its distinctive triangular form in this key view. Historic England advise that the eastern section of MU3 is cut back westwards and that its height is reduced to reduce the height of Bridge House. If minded to accept the edge of this block in the position proposed and for it to be set at the height proposed, the Local Planning Authority (LPA) should be convinced that there is adequate justification. Architectural form and detailing in this location would need careful consideration at the reserved matters stage in order to ensure that the setting of Bridge House is preserved and enhanced. It will be important for this issue to be addressed fully at the reserved matters stage.
- The Gatehouse has group value with The Tetley and has an important part to play in telling the story of how the brewery operated and if possible it should be incorporated into the public realm scheme, for example as a small commercial /retail unit serving the space. If minded to accept the proposal for the demolition of the gatehouse, the LPA should be satisfied that there is a clear and convincing justification and that the public benefits would outweigh the loss. If minded to accept this loss then the applicant should explore opportunities to retain some of the heritage significance of the gatehouse and interpret it through the public realm scheme, for example marking out the loading bays that would weigh the beer lorries on their way out of the brewery. Demarcating the weighbridge and walls would retain some sense of definition of the Brewery layout on the site.
- City Centre Park – Historic England welcome the proposal to use the old Hunslet Road as part of the new urban grain of the site to connect to the south. The central area of the park with The Tetley as its centrepiece is also supported. These aspects of the scheme have been designed to respond positively to the historic grain, form and layout of the area, however it is important to ensure active ground floor frontages here and along the Crown Point Road frontage to the park.

- Historic England is concerned about the dilapidated condition of the Grade II listed buildings on Crown Point Road. These buildings will form part of the phase two proposals.

6.1.4 Environment Agency

No objection subject to conditions regarding the implementation of the measures identified in the revised Flood Risk Assessment, details of surface water drainage, and details of land contamination remediation in relation to the aquifer that lies below the site.

6.1.5 Canal and Rivers Trust

Although at an outline stage, with layout and scale both reserved matters, the application has been accompanied with a series of indicative sightlines from different parts of Leeds City Centre, including Fearn's Island pedestrian bridge. Notably, they show that development on the site will be visible from areas next to the waterway in both the southern part of the City Centre Conservation Area and the Eastern Riverside Conservation Area. In line with Leeds Core Strategy policy P11, there is a need to enhance or at least conserve the setting of heritage assets, which includes industrial heritage connected with the waterway corridor and the conservation areas. Given that the proposal would remove a site currently used for surface parking, redevelopment here provides a very good opportunity to improve the setting of the immediate surrounding area. The Townscape & Visual Appraisal Doc (appendix 5, part 2) provides information on the setting of the buildings from Fearn's Wharf, within the East Riverside Conservation Area. The existing character of the majority of new buildings in this area has respected the historic longitudinal block form, alluding to the bonding warehouses of c.19th Century construction. As such, there are risks that the form of the new development shown in the indicative views (with regards to blocks R1 and R4), with tall and more slender elements in proximity to the waterway would not allude to the character and setting of the adjacent conservation area and 19th Century dockside buildings. The form of new development and its impact on the setting of the historic character of the waterside and conservation area should therefore be considered as the scheme is developed further. It is noted that the 2011 South Bank Planning Statement provides design principles for the site that buildings should be approximately 6-8 stories in height (page 29), with a form comprising of longitudinal blocks to complement the historic form of waterside development. The Trust believes that account of this document should be made during the assessment of the proposals as they develop.

6.1.6 Coal Authority

No objection. The Coal Mining Risk Assessment states that whilst coal was found as part of the site investigation works, based on the quality / thickness of the coal the author has concluded that 'given the lack of voids it is considered highly unlikely that coal has been extracted under the site'. No specific mitigation measures are required as part of this development proposal to address coal mining legacy issues. The Coal Recovery Report indicates that based on the site investigations undertaken with the application site it is considered that the coal seams shown to be present are of poor quality and therefore would not be considered economically viable to extract.

6.2 Non-statutory:

6.2.1 LCC Flood Risk Management

No objection subject to the implementation of the development in accordance with the submitted flood risk assessment, and a condition regarding details of sustainable surface water drainage.

6.2.2 LCC Environmental Studies (Air Quality)

The air quality assessment submitted with this application suggests that part of the building envelope along Crown Point Road may be exposed to levels of NO₂ exceeding the National Air Quality Strategy (NAQS) annual mean objective, potentially exposing future residents to harmful levels of air pollution. We recommend that a further air quality assessment is undertaken at the reserved matters stage (when details of the site layout are established) to ensure that residential accommodation is not subjected to NO₂ levels which would fall below the NAQS objective level of 40ug/m³. This would preferably be by means of site design but if this is not feasible through the incorporation of mitigation measures. The proposal to include electric vehicle charging points is welcomed.

6.2.3 LCC Environmental Protection

No objection in principle subject to conditions regarding details of the sound insulation scheme of the dwellings, construction practice, details of sound insulation and noise limits on mechanical plant and equipment including odour filters, details of sound insulation for any entertainment or bar use, restrictions on commercial unit opening and delivery hours, and external lighting.

6.2.4 LCC Licensing

The Licensing Authority have no concerns with the planning application, however they note that some of the proposed uses will require premises licences under the Licensing Act 2003.

6.2.5 LCC Nature Conservation

There should be no significant nature conservation issues provided that conditions are attached to protect nesting birds and provide biodiversity enhancements.

6.2.6 LCC Public Rights of Way

No definitive or claimed rights of way affect this application site.

6.2.7 West Yorkshire Combined Authority (WYCA)

WYCA support the principle of mixed use development in this location and the significant contribution it will make to increasing house growth and employment opportunities, together with new green infrastructure and pedestrian and cycle connections, in a location close to existing and future public transport hubs. The red line boundary of the application includes land owned by WYCA along Waterloo Street/Bowman Lane and at Meadow Lane on the safeguarded former NGT route. The detailed design of the development which will be the subject of a reserved matters application needs to ensure that the site integrates into the existing walking and cycling provision in the immediate area. Any new provision must be designed to the same standard and quality of the City Connect programme. In addition, the council should seek contributions from this site for the planned improvement to the connectivity of the site to the city centre particularly for the proposed footbridge over the River Aire. WYCA are satisfied that the accessibility of the site is at an acceptable standard. The site is located within the South Bank regeneration area of the city and therefore benefits from a number of public transport services to a range of destinations. The development is likely to generate additional public transport users to the area and therefore the developer should ensure that the layout of the site is linked into the existing bus stops surrounding the site, and they should provide a new bus shelter and a real time passenger information display at Crown Point Road. WYCA also recommend that the developer purchases a URL web-link to display multi stop bus information which costs £500 for five years and covers set up costs and licence fees. To encourage the use of sustainable transport, the

developer needs to fund a package of sustainable travel measures. WYCA recommend that the developer contributes towards sustainable travel incentives to encourage the use of public transport and other sustainable travel modes through a sustainable travel fund, such as residential metrocards. Other uses could include personalised travel planning, car club use, cycle purchase schemes, car sharing promotion, walking/cycling promotion.

6.2.8 Leeds Bradford Airport

The proposal may lead to an increase risk of bird strike on approaching aircraft to Leeds Bradford Airport. There is potential that the roofs of the buildings may be a very attractive nesting site for large gull species. A Bird Hazard Management Plan is recommended to prevent breeding gulls from utilising the roofs of the buildings.

6.2.9 Yorkshire Water

No objection subject to conditions regarding sewer easements and drainage details.

6.2.10 West Yorkshire Police

Recommend that further consultation takes place at the detailed design stage with regard to lighting, CCTV, door and window security and Secured by Design measures.

6.2.11 West Yorkshire Archaeological Advisory Service

Given the type of activity within the application site from a wide range of periods the site's archaeological potential should be fully evaluated prior to development taking place and an appropriate level of archaeological mitigation designed around the surviving physical evidence. A suitable condition is recommended to secure a programme of archaeological recording prior to any works taking place.

7.0 Relevant Planning Policies

7.1 Development Plan

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).

7.2.1 The Leeds Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Core Strategy Policies include:

- Spatial policy 1 location of development
- Spatial policy 2 hierarchy of centres and spatial approach to retailing, offices, intensive leisure and culture
- Spatial policy 3 role of Leeds City Centre
- Spatial policy 4 regeneration priority programme areas
- Spatial policy 5 Aire Valley Leeds urban eco-settlement
- Spatial policy 6 housing requirement and allocation of housing land
- Spatial policy 7 distribution of housing land and allocations
- Spatial policy 8 economic development priorities
- Spatial policy 9 provision for offices, industry and warehouse employment land and premises

- Spatial policy 11 transport infrastructure investment priorities
- Spatial policy 13 strategic green infrastructure
- Policy CC1 City Centre development
- Policy CC2 City Centre south
- Policy CC3 improving connectivity between the City Centre and neighbouring communities
- Policy EC1 general employment land
- Policy EC2 office development
- Policy P8 sequential and impact assessments for main town centre uses
- Policy H3 density of residential development
- Policy H4 housing mix
- Policy H5 affordable housing
- Policy EN1 carbon dioxide reduction
- Policy EN2 sustainable design and construction
- Policy EN4 district heating
- Policy EN5 managing flood risk
- Policy G9 biodiversity improvements
- Policy P10 design
- Policy P11 heritage
- Policy P12 landscape
- Policy G1 enhancing and extending green infrastructure
- Policy G5 open space provision in the City Centre
- Policy T1 transport management
- Policy T2 accessibility requirements and new development

The City Park concept is identified within the Leeds Core Strategy 2014 at paragraph 2.39 'Our Green Environment', para 3.2, para 4.3.2, and in Policies SP3, CC2 and para 5.1.18, Policy G5 and para 5.5.20

7.2.2 **Leeds Unitary Development Plan Review 2006 Saved Policies**

Relevant policies include:

- Policy GP5 all relevant planning considerations
- Policy BD2 new buildings
- Policy BD5 residential amenity
- Policy LD1 landscaping

7.2.3 **Leeds Natural Resources & Waste Plan**

The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Relevant policies include:

- Minerals 2 minerals safeguarding area sand and gravel
- Minerals 3 mineral safeguarding area coal
- Air 1 management of air quality through new development
- Water 1 water efficiency
- Water 2 protection of water quality
- Water 4 development in flood risk areas
- Water 6 flood risk assessments
- Water 7 surface water run-off
- Land 1 contaminated land
- Land 2 development and trees

7.4 **Emerging Aire Valley Leeds Area Action Plan**

7.4.1 The site lies within the boundary covered by the emerging Aire Valley Leeds Area Action Plan (AVLAAP) which is being prepared in accordance with Core Strategy Spatial Policy 5 and will form part of the LDF when adopted. The AAP has been the subject of public consultation and examination by the Secretary of State, and it signals the Council's aspirations and priorities for the future development of the area. The Planning Inspectorate issued the Council with the Aire Valley Leeds Area Action examination Inspector's Report and Main Modifications on 8 August 2017. The report concludes that subject to the agreed modifications being made, the plan is sound. It satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase 2005 Act and it provides an appropriate basis for the planning of the city. Executive Board agreed on 20th September 2017 that the plan be recommend to Full Council for adoption with the agreed modifications, and this will be considered on 8th November 2017 for formal adoption. Upon adoption the AVLAAP will form part of the Development Plan for Leeds. Therefore significant planning weight can be given to its policies.

The AVAAP has relevant policies regarding strategic transport infrastructure for the area, green infrastructure, pedestrian connectivity, and specific guidance for the South Bank sub-area which will formalise the aspirations of the South Bank Planning Statement 2011 into the Development Plan. The area covered by the South Bank Planning Statement 2011 and the corresponding relevant specific planning policies are contained with the South Bank sub-area (SBPSA Spatial Vision and Policies SB1, 2, 3 and 4):

- Policy SB1 Pedestrian and cycle connectivity in the South Bank relates to measures to improve connectivity in the area, links to other locations in the city centre and surrounding communities and measures to reduce the physical and visual impact of vehicular traffic infrastructure.
- Policy SB2 sets out the objectives for the City Park (as first set out in the South Bank Planning Statement 2011)
- Policy SB3 relates to new and enhanced green routes and spaces in the South Bank, including the provision of new greenspace, and the planting of street trees along pedestrian/cycle routes and major road frontages.
- Policy SB4 sets out appropriate uses in mixed use sites within the City Centre as including housing, office, hotel, small scale retail, cafes, bars, bars, leisure and entertainment, community uses and cultural uses

7.5 **Relevant Supplementary Planning Guidance/Documents includes:**

SPD Street Design Guide
SPD Travel Plans
SPD Building for Tomorrow Today: Sustainable Design and Construction
SPG Neighbourhoods for Living
SPD Parking
SPD Tall Buildings
SPD Accessible Leeds

7.6 **South Bank Planning Statement 2011**

The South Bank Planning Statement was adopted at Executive Board following public consultation in 2011 as informal Supplementary Planning Guidance (SPG) for development management purposes, which will be formalised in due course through the adoption of the Aire Valley Area Action Plan (AVLAAP). The area covered by the planning statement is now contained within the South Bank sub-area of the

AVLAAP, and its objectives covered by SBPSA Spatial Vision and Policies SB1, 2, 3 and 4. The adopted vision for this site is to enable the delivery of a project that will contribute towards the transformation of Leeds South Bank into a distinctive, vibrant, well connected, sustainable neighbourhood, which has at its heart a new City Centre Park. The planning statement offers guidance on mix of uses (which remain in accordance with the Core Strategy and AVLAAP), and sets out an illustrative framework for building layout and form.

The new park will act as a catalyst for the regeneration and place-shaping of the South Bank of Leeds City Centre, by creating a vibrant public space that provides the context for the broader redevelopment of the area, and will help to improve connections from the City Centre core to the surrounding communities in the Aire Valley, Hunslet, Richmond Hill, Beeston Hill and Holbeck. The Council's ambition is to develop a major new City Centre Park just south of the River Aire, with strong pedestrian links across the river into the heart of the shopping and commercial area, and the Aire Valley. The key principles to guide the development of the Park can be summarised as follows:

- The park will reach approximately 3.5 hectares when phased over time in order to be a meaningful high quality green public space of a type not currently provided in Leeds City Centre or its fringes, which balances the passive and active recreational needs of day visitors, office workers and City Centre residents and add to the critical mass of the City Centre's cultural and visitor attractions.
- An accessible, safe and child-friendly secure space with improved connectivity within the City Centre for pedestrians and cyclists to adjoining areas;
- Integrate the functionality of the space for different types of recreation, of a park landscape with substantial large canopy trees and extensive grassy spaces as major green infrastructure, and a civic "people" event space, with positive interfaces with surrounding ground floor building uses;
- Attract and facilitate the delivery of new commercial and residential developments with a design character that helps to frame the new greenspace, and also support its financial viability, by acting as a catalyst for new development;
- Create opportunities for public art and cultural attractions;
- Create opportunities for biodiversity enhancement;
- Be designed with sustainability, climate change and flood alleviation in mind, e.g. incorporating surface run-off in greenspace design;
- Spur regeneration and enhance employment opportunities in the southern part of the City Centre, and beyond.

7.7 National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) sets out the Governments 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. Relevant paragraphs include:

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

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

Paragraphs 23 - 27 relate to town centre uses. The NPPF sets out two key tests that should be applied when planning for town centre uses which are not in an existing town centre and which are not in accordance with an up to date Local Plan – the sequential test and the impact test. These are relevant in determining individual decisions and may be useful in informing the preparation of Local Plans. The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).

The NPPF states that LPA's should recognise that residential development can play an important role in ensuring the vitality of centres (para 23).

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).

Section 7 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. Paragraph 59 states that Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Paragraph 60 states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic

environment.

Paragraph 131 states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability, and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 of the NPPF 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 assets conservation, and that the more significant the asset the greater the weight should be. It also states that significance can be harmed through development within its setting, and that substantial harm to or loss of designated heritage assets of the highest significance (Grade I and II* listed buildings and Scheduled Ancient Monuments) should be wholly exceptional.

Paragraph 134 states 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.

Paragraph 137 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

7.8 **Other material considerations:**

The Leeds Standard 2014 and the Nationally Described Housing Standards

The Leeds Standard was adopted by the Council's Executive Board on 17th September 2014 to ensure excellent quality in the delivery of new council homes. Through its actions the Council can also seek to influence quality in the private sector. Those aspects of the Standard concerned with design quality will be addressed through better and more consistent application of the Council's Neighbourhoods for Living guidance. This standard 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 and only limited weight can be attached to them, given their evidence base in determining the minimum space requirements, they are currently used to help inform decisions on the acceptability of development proposals.

8.0 **Main Issues**

8.1 Principles of the scheme

8.2 Housing quality

8.3 Approach to sustainability

8.4 Indicative layout and scale (including the City Park), and the impact on the special character of nearby Listed Buildings and the character and appearance of the nearby Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990)

8.5 Amenity of existing residents

8.6 Highways, transportation and access

- 8.7 Wind
- 8.8 Flood Risk and sustainable drainage
- 8.9 Other considerations
- 8.10 Section 106 planning obligations

9.0 Appraisal

9.1 Principles of the scheme

- 9.1.1 The site is unallocated in the current Development Plan, however now that the Aire Valley Leeds Area Action Plan (AVLAAP) is at a very advanced stage, having been subject to public consultation, independent examination, and the Planning Inspectorate has declared it as sound, it has significant weight in decision-making. The AVLAAP shows the site as part of the South Bank Planning Statement Area (SBPSA, Site AV94). This is a housing and mixed use allocation made under Policy AV7 which applies across a wider area than the former Tetley Brewery site. Policy SB2 of the AVLAAP sets out a proposal for a 3.5 hectare new city park within site AV94, and this application would make a significant 2 hectare contribution towards this. The estimated capacity for the wider SBPSA site (AV94) is 1,635 dwellings, which includes the entire Tetley Brewery site (including Phase 2) and potentially other sites in the vicinity. The provision of 850 units in this application for phase one of the former brewery site is considered to be in accordance with Policy CC1 and Spatial Policies 5 and 7 of the Core Strategy, and emerging Policy AVL7 for site AV94. The B1 employment uses proposed in this application (85,000 sq m of floorspace) is above the estimated level stated within the draft AVLAAP for site AV94 (73,500 sq m of office floorspace allocated). This level of provision is appropriate given the focus on the area as an office location in the Core Strategy and its location close to existing public transport connections (Leeds Station Southern Entrance, local bus stops and the bus station) and future public transport (HS2), and because it is not likely to prejudice delivery of housing targets. The proposals would make a significant contribution to delivery of the Core Strategy office target under Policy CC1, and employment growth in such a sustainable and accessible location is supported. Based on the overall maximum non-residential floorspaces, the applicant forecasts that approximately up to 6500 jobs could be created by the proposed development.
- 9.1.2 Policy CC2 of the Core Strategy promotes town centre uses south of the river in the City Centre including office, cultural and leisure uses. In addition to the significant office uses discussed above, there are 15000sqm of flexible ground floor uses proposed. These are necessary to provide active frontages to the Park and the surrounding streets, for urban design, place-making and community safety reasons. They would also serve the needs of workers, residents and visitors at different times of the day and night, not just within the new development but also within the surrounding area. This is considered to be in accordance with Core Strategy Policy SP3 and emerging AVLAAP policy SB4. The flexible uses proposed are all acceptable within the City Centre, however as the site is outside the primary shopping area, a retail sequential test and impact assessment was undertaken in accordance with Core Strategy Policy CC1 to demonstrate the acceptability of the level of A1 retail proposed. It is considered that there are no sequentially preferable sites within a five minute drive of the site that would be available, suitable, or viable for the development as proposed. It is therefore considered that the sequential test has been passed. With regard to retail impact assessment, it is considered necessary to limit the size of any A1 retail unit to be no larger than 1200sqm (net) to reduce the risk of the entire floorspace being taken up with high value convenience uses such as large supermarkets. The scheme is therefore unlikely to have a significant adverse impact on the convenience function of the Primary Shopping

Area and Hunslet Town Centre. It is considered that one of the positives of the scheme is that it will provide high quality convenience facilities for residents and workers on the South Bank, increasing the attractiveness of the location and the likelihood of its regeneration. On balance, the retail element of the scheme is not likely to have a significant adverse impact on the retail function of the City Centre Primary Shopping Area or other nearby local centres such as Hunslet, and is acceptable subject to a maximum limit on overall quantity of A1 retail use at 8000sqm Gross Internal Area (GIA) and a maximum A1 retail unit size of 1200sqm trading area. In summary, this application for a mixed-use development with significant greenspace in this prominent City Centre location, would meet the regeneration, housing and economic objectives of the Leeds Core Strategy, Aire Valley Area Action Plan, the South Bank Planning Statement 2011 and the National Planning Policy Framework.

9.2 Housing Quality

- 9.2.1 The applicant has committed to meeting the affordable housing Core Strategy Policy H5 for this area, with 5% of the total dwellings to be provided as affordable housing in a pro-rata mix, split 60:40 lower decile:lower quartile incomes. The total provision would be up to 43 affordable units (subject to the exact number provided in the reserved matters phases). This would be controlled through the S106 agreement.
- 9.2.2 This application is in outline only, but Vastint have confirmed that they would meet the Council's requirements to provide an adequate size and mix of accommodation, with appropriate consideration of good amenities such as private external amenity space, outlook, daylight/sunlight and privacy, at the detailed reserved matters stage.
- 9.2.3 In particular the applicant has confirmed the following mix of dwelling sizes to meet the objectives of Policy H4 for a balanced provision of dwelling sizes, including the provision of at least 20% of the units as 3-bedroom dwellings:
- 10% Studio: 85 units
 - 27% 1 Bed: 230 units
 - 43% 2 Bed: 365 units of which 12% are flexible residential units
 - 20% 3 Bed: 170 units of which 12% are flexible residential units

Vastint would also like to introduce an innovative way of residents being able to expand and contract the number of rooms within their flat or house without moving, so that residents can adapt their living spaces to meet their changing circumstances. 12% of the two and three-bedroom units would be flexible, designed to the minimum standard for the larger unit size, but capable of having walls removed to allow for different functions of living space. This is considered to be an interesting concept that could help to make the City Centre a place for families of all ages to move to and stay throughout their lives.

9.3 Approach to sustainability

- 9.3.1 Vastint have committed to meeting the Council's sustainable construction objectives in Core Strategy EN1 and EN2 to reduce the total predicted carbon dioxide emissions to achieve 20% less than the 2013 Part L Building Regulations target emission rate for residential buildings, and BREEAM Excellent accreditation for non-residential premises. Policy EN1 also requires applicants to provide a minimum of 10% of the predicted energy needs of the development from low carbon energy. At this outline application stage, Vastint are not able to commit to this target as it would depend on the detailed design of each building and the exploration of the potential to connect to the proposed District Heating Network (policy EN4), use on-site

measures such as Combined Heat and Power (CHP) or renewable technology. It is recommended that the exact details of how policies EN1, EN2 and EN4 are met is controlled by planning condition to be discharged at Reserved Matters stage.

9.4 Indicative layout and scale (including the City Park), and the impact on the special character of nearby Listed Buildings and the character and appearance of the nearby Conservation Area (Planning (Listed Buildings and Conservation Areas) Act 1990 Sections 66(1) and 72)

Indicative Layout and the City Park

- 9.4.1 The South Bank Planning Statement 2011 highlights that a new park will act as a catalyst for the regeneration and place-shaping of the South Bank of Leeds City Centre, by creating a vibrant and outward-facing public space that provides the context for the broader redevelopment of the area, with a high quality environment which balances the recreational needs of day visitors, office workers and residents. The proposed maximum layout and form of the buildings in this future outline planning application will shape the extent of the central area of the City Centre Park and the important new pedestrian/cycle connections in all directions. Vastint's strategy positively takes account of the Council's place-making aspirations, and makes some slight changes to the shape and distribution of proposed greenspace around the site, so that it would run broadly from north-west to south-east in a curve from the River Aire to Hunslet Road. This is considered to be a positive interpretation of the Council's illustrative vision for the Park, because it would help link the park to the communities to the south. Representations to the application have suggested a park along the whole length of Waterloo Street and Bowman Lane and for the early delivery of the north park element to mitigate the impact of the development on residents at Brewery Wharf. However, it is considered appropriate that as a City Park which would act as a strategic city-wide destination, it takes a more central location which better connects to the wider pedestrian and cycle network, and enhances the setting of heritage assets. It would also enable extension of the park towards the riverside across Meadow Lane using the Council's landholding, and towards the south east across Crown Point Road. As part of the Reserved Matters considerations it is considered reasonable to require temporary treatment of the remainder of the application site (including the north park element), ahead of its permanent redevelopment and this would be controlled by planning condition. The total area of the park on Vastint's land ownership at approximately 30% public space would exceed Core Strategy Policy G5's requirement of 20%, and would represent a minimum 2 hectare contribution to the overall 3.5 hectare ambition in the South Bank Planning Statement 2011. However, it is acknowledged that consideration of the City Centre Park needs to be more than an allocation of quantity of areas around potential building plots, and that this is an early stage in the overall process of developing the City Park. A strategy for the functions of the park, its detailed management and maintenance is being developed in collaboration with the Council, and the full details of this and its delivery would be controlled through the Section 106 agreement. This would address detailed issues such as the requirement to provide family-friendly facilities for all ages including children and older people.
- 9.4.2 The development floorspace proposed through maximum parameter building footprint plans, and the spaces between them, demonstrate a series of linked free-flowing and continuous spaces, which can respond positively to heritage assets and express new high quality design and activity around the park-facing ground-level frontages. The Design Strategy requires buildings to be modelled to provide a human scale at their bases to the park.

The key indicative areas of space include:

- A green 'Central Park', the centrally located soft-landscaped space, the main body of the City Park, including native tree planting, grassed areas, and play and exercise equipment for all ages
- 'Tetley Triangles', three adjoining event spaces, two at grade and predominantly hard paved, one grassed with raised banking
- 'North Park' at the north east of the site between the proposed residential development plots and Bowman Lane.
- 'Commercial Square' at the south east corner of the site enclosed by office buildings
- Residential courtyards, areas of communal private space for residents
- Pedestrian and cycle connectivity – new routes north to south and east to west

The submitted Design Strategy would be an approved document, which would act as design code for the future reserved matters applications for both the buildings and the spaces in between, including the park.

- 9.4.3 Landscaping would be a Reserved Matter for future consideration, however the provision of new street trees will be fundamental to the transformation of the South Bank and the quality of the proposed development, including along Great Wilson Street, and other principal streets around and within the site. There is unlikely to be an opportunity to plant trees in the current highway space due to underground services. The Design Strategy promotes tree planting around and within the site, with the exception of Crown Point Road. In this case, it is expected that street trees would be proposed within Vastint's ownership in phase two to soften the built (not park) frontage on Crown Point Road from Chadwick Lodge to Cudbear Street, and along Black Bull Street, in accordance with the South Bank Planning Statement and Aire Valley Action Plan aspirations for the area for tree-lined streets in the South Bank.
- 9.4.4 **Heritage and indicative layout and scale**
Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities (LPAs) must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and the act also advises that LPAs pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The indicative layout and scale of the proposed buildings and the linked park spaces between them, have the potential to enhance the setting of the Grade II listed Salem Chapel, and the unlisted heritage asset The Tetley building.
- 9.4.5 With regard to Historic England's concern in relation to visual prominence in the termination of views from Briggate to the south by the proposed tower MU1, it is considered that this building has the potential to enhance the vista at the southern end of Briggate, and act as a marker for the regeneration of the South Bank and the location of the City Park. Additional provisions have been made in the Design Strategy to ensure design quality and the importance of providing a new landmark feature at the end of this long view. Assessment at the detailed Reserved Matters stage would ensure that the detailed design of MU1 is a high quality tall building with an appropriate stepping form and facade design. This is the subject of specific guidance in the Design Strategy.
- 9.4.6 The proposal for MU3 will form a distinct new visual element in the background to the listed building Leeds Bridge House. However, the new building would be around

175m behind the listed building and the extent to which it will be visible in approaches along Leeds Bridge and Bridge End would vary given the dynamic nature of the view. The detailed design would be subject to assessment at Reserved Matters stage, to ensure that it has an appropriate complementary architectural treatment and does not unduly detract from the setting of Leeds Bridge House or the Adelphi Public House.

- 9.4.7 The key view from Leeds Bridge across the site towards the Crown Hotel with the Leeds City College Printworks (former Alf Cooke) clock tower in the distance is preserved, offering a visual link to the education hub, and to the envisaged future re-use of the Crown in phase two.
- 9.4.8 Regarding Plot R4, the proposed indicative height of this plot has been reduced during the course of the application from 70.2m to 50.4m to remove any potential interruption to the silhouette of the Leeds Minster or weakening of its skyline prominence. It is therefore considered that this plot would not adversely affect the setting or significance of Leeds Minster.
- 9.4.9 Plot R1 is shown indicatively as the tallest element on the site, up to a maximum of 39 residential storeys. This central location within the site would act as a marker for the City Park. It would act as a counterpoint for Plot MU1 to the south west of the park. Taller buildings could not be located to the east due to the setting of the Leeds Minster, which has led to the reduction in height of R4. Without taller buildings in the indicative layout, the development would not be able to achieve the dwelling numbers envisaged in the plan, or the 2 hectares of public park, routes and other spaces. The development as proposed could be lower in height, but it would result in less useable greenspace, or less dwelling numbers which would affect scheme viability and the delivery of the homes anticipated in the site allocation.
- 9.4.10 On balance, it is considered that the proposal would enhance the character and appearance of the Eastern Riverside and City Centre Conservation Areas, the setting of the Grade II* listed Chadwick Lodge, and setting of the Grade II listed buildings including the Adelphi Public House, Leeds Bridge House, Salem Chapel, Old Red Lion Public House, and the unlisted The Tetley and Crown Hotel.
- 9.4.11 **Loss of the gatehouse**
The indicative masterplan proposes the demolition of the former gate lodge, a complementary building to The Tetley identified as having historic importance, and adding meaning to the legibility, historic and communal value of the site including The Tetley itself. It was where workers and visitors reported to on a daily basis. However, the building is a later addition to the site believed to have been constructed in the 1950s, and altered in the 1980/90s. The building was not part of the original 1930s designed layout of The Tetley headquarters building. Therefore it is considered that the historic and architectural interest is limited, and its demolition would have a minimal impact on the setting of The Tetley, and nearby listed buildings. Its loss would be less than substantial harm to the setting of The Tetley, Salem Chapel and Bridge House, and the overall delivery of the park itself would be an enhancement to the setting of these heritage assets. It is considered that with reference to Paragraph 134 of the NPPF, the public benefit of opening up the park at the north-western end to allow it to flow around The Tetley as a standalone centre-piece and a focal point would outweigh the loss of the gatehouse.
- 9.4.12 In summary, it is considered on balance that the indicative building layout and scale parameters that support this outline scheme would create a positive relationship between new buildings, existing heritage assets, new pedestrian/cycle routes, and

greenspaces. Together, these factors would improve connectivity and set out the approach to this first phase of the future City Park, which would on balance enhance the setting of the nearby heritage assets The Tetley, Salem Chapel, Leeds Bridge House and the Adelphi Public House.

9.5 Amenity of existing residents

- 9.5.1 The indicative parameter plans show development set back from Waterloo Street and Bowman Lane. There is potential for the proposal to impact on daylight and sunlight and outlook on the flats to the north of the site, which range between five and thirteen residential storeys in height. The minimum gap between Block MU4 to the 5 storey Waterfall apartments would be approximately 21m. The minimum gap between Block MU4 to 1 Brewery Wharf would be approximately 21m, widening to 31m. The minimum gap between Block R1 to Brewery Wharf would be approximately 31m at its closest distance, widening to over 60m. It is considered that these relationships would be acceptable, as these distances would be wider than many City Centre streets, and would be appropriate to the scale of the buildings as indicatively proposed. The maximum parameters in height and footprint may also not be expanded to their widest and tallest extent, which would mean that assessment has been made of the worst case scenario. It is therefore considered on balance that this relationship is acceptable in privacy, visual dominance, outlook and overshadowing terms. It is considered that in the more densely built character of a City Centre location, the maximum parameter building lines in the proposal would give appropriate space between buildings, and not have significantly adverse effects on the amenities of neighbouring properties.
- 9.5.2 The greenspaces proposed would be publicly accessible for all, all elements of the City park, Tetley Triangles and north park would benefit not only residents of this development, but those at Brewery Wharf, and the wider area.
- 9.5.3 Regarding other amenity matters raised by objectors, it is considered that these potential amenity impacts can be appropriately mitigated through the imposition of planning conditions including restrictions on hours of delivery to non-residential premises, plant and machinery noise and odour, and bins. Alcohol, entertainment and late night food licensing controls would control the management and opening hours of flexible use units where applicable. During the construction stages, a condition would require the applicant to submit a works management plan for each phase which would include restrictions to hours of operations, restrictions on construction deliveries, workforce parking, cabins, noise, dust, mud, traffic management, and communication with local residents and businesses.
- 9.5.4 It is considered that the proposed development would not generate vehicle traffic to such an extent that it would materially add to noise and disturbance within the existing context of a busy City Centre environment.

9.6 Access, highways and transportation

- 9.6.1 Residential parking is considered acceptable at up to 46% of the level of proposed dwellings. Office parking would also be below maximum standard, however the site is in a very sustainable accessible City Centre location close to public transport links including the City station, future HS2, existing (Elland Road and Temple Green) and proposed (Stourton) park and ride bus stops and city centre bus interchanges. The surrounding area is an enforced and controlled parking zone, and public car parking is available at Leeds Dock. The scheme is also supported by Travel Plan measures

including a sustainable travel fund of £162,488.75, and a car club trial provision contribution of £69,350

9.6.2 Off-site highways works have been agreed for inclusion in the Section 106 agreement to improve the pedestrian and cycle connections in the vicinity of the site and support the approach to sustainable travel and low car use. The required off-site works would be:

- Pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000
- City Connect cycle scheme from The Calls to Hunslet Lane contribution £364,000
- Sovereign footbridge contribution £500,000

9.6.3 Conditions are also recommended to control the maximum permitted levels of car parking at the site, the allocation of car parking between uses, car park management plan, electric vehicle charging points, cycle and motorcycle parking, staff showers and lockers, and car club parking space provision.

9.6.4 **Impact on the Strategic Road Network (Highways England)**

The applicant's highways consultant states that the development would lead to an increase in vehicles on the strategic road network (M1 and M621). Highways England have requested modelling work to understand this impact further and determine if any mitigation is necessary, and if any is required what that mitigation might be. Highways England therefore request that the application is not approved until the outcome of this work is understood. The Local Planning Authority cannot determine the application against Highways England advice without referral to the Secretary of State for Transport. Members are therefore requested to defer and delegate approval to the Chief Planning Officer pending the outcome of this consultation.

9.7 **Wind**

9.7.1 The proposals will have an impact on the wind micro-climate in and around the site. The applicant has committed to carry out a wind tunnel assessment at each phase of the reserved matters to inform the massing and form of the development, and determine detailed wind mitigation measures. The wind mitigation measures could comprise:

- Reduced massing of buildings
- Podium structures at low level of mid to high rise blocks
- Rounded corners to reduce wind accelerations
- Canopies
- Covered walkways
- Screens – solid and/or perforated
- Clustered trees
- Recesses to the cladding / facades
- Draught lobbies, screens or revolving doors at entrances
- Balconies and roof terraces – with balustrades and/or screens

9.7.2 The Council's wind consultant has advised that the applicant will need to provide a site-wide strategy which allows for any necessary redistribution of massing to be agreed prior to the consideration of any Reserved Matters for first phase of development. The applicant would retain responsibility for the whole site development and is able to control redistribution of massing around the site as necessary. It is therefore considered appropriate to control the requirement for further wind impact assessments at the detailed design stage and the requirement for a site-wide strategy for any necessary redistribution of massing by planning condition.

9.8 Flood Risk and sustainable drainage

9.8.1 A sequential assessment has been carried out in accordance with the National Planning Policy Framework. On the basis of the assessment provided, there are no alternative, deliverable, sequentially preferable sites within the Aire Valley Leeds area capable of accommodating the proposed development that are available and could achieve the mixed use community and regeneration benefits proposed, at a lower risk of flooding than the application site. On the basis of the above, the Flood Risk Sequential Test is considered to have been satisfactorily addressed for the application site. National policy then requires that the Exceptions Test be carried out. The applicant has provided information to demonstrate that the sustainability benefits of the site outweigh flood risk, addressing part 1 of the exception test. Part 2 of the exception test makes reference to the mitigation measures set out the Draft Aire Valley Leeds Area Action Plan exception test which supports the proposed housing allocation on the site.

9.8.2 The applicant proposes the following acceptable flood risk measures, which would be reviewed at each reserved matters application:

- Finished floor levels and basement entrance thresholds would be set at least 100mm above the undefended 1 in 100 chance in any year flood level, taking the impacts of climate change into account (upper end 50% allowance)
- Flood exclusion measures are included across the development, between the proposed finished floor levels and 600mm above the design flood level.
- Signing up to flood warning and evacuation plans.

9.8.3 The submitted Surface Water Drainage design for the project applies the principles of Sustainable Urban Drainage (SuDS) design and also meets the Council's Minimum Development Control Standards for Flood Risk where possible. Infiltration soakaway tests have been undertaken on-site and are not considered to be a practical or efficient means of disposal, but would be considered further at detailed design stage. The existing surface water drainage discharges into Yorkshire Water public sewers. As infiltration or watercourse discharging are not considered practical by the applicant's drainage engineers, the proposed surface water would discharge into the existing public sewers at agreed restricted rates. The proposed discharge rate off site would be reduced by a minimum of 50% compared to existing, with consideration given to SuDS features, to reduce flows as close to greenfield rates as practicable, subject to reserved matters applications and the recommended conditions.

9.8.4 The Environment Agency and Leeds City Council Flood Risk Management have no objection to the application proposal on this basis subject to conditions regarding the implementation of the measures set out in the flood risk assessment, ground water site investigation and remediation, and details of surface water drainage schemes. It is considered that any opportunities for green roofs as part of the sustainable drainage solutions can be considered at Reserved Matters stage.

9.8.5 It is therefore considered that the submitted flood risk and drainage proposal would comply with the requirements of the NPPF, Core Strategy policy EN5 and NRWDPD policies Water 4, 6, and 7.

9.9 Other considerations

- 9.9.1 With reference to West Yorkshire Combined Authority's comments, the applicant would need to agree access over WYCA's land off Waterloo Street, and any grant of planning permission would not over-ride this. It is not necessary for WYCA to be party to the Section 106 agreement as no buildings would sit on their land. Third party land is also not included in the consideration of the City Park. WYCA also request that the applicant provide a new bus shelter with real-time display on Crown Point Road, and subscribe to a multi-stop information system at a cost of £500 for five years. These measures may or may not be necessary to mitigate the travel impact of the development. The Travel Plan requires monitoring and support of sustainable travel initiatives and if required these measures could be funded using the Sustainable Travel Fund sum.
- 9.9.2 A Birdstrike Risk Assessment which was requested by Leeds Bradford Airport was submitted and found to be acceptable by the Airport subject to the detailed design of the roofs which can be considered at the Reserved Matters stage. A condition is recommended to control the details of a birdstrike management plan for the proposed building roofs.
- 9.9.3 In relation to the reference to the Human Rights Act by the objector at One Brewery Wharf, the consideration of this planning application represents a fair balance between the public interest, the rights of individuals and the residential amenity of existing properties, as discussed above.
- 9.9.4 With reference to Duke Studios' request that the development of this landholding be tied to the permanent redevelopment or temporary treatment of the applicant's land on the eastern side of Crown Point Road, it is considered that this cannot be reasonably requested under this application as it relates to land outside the scope of the application. However, a condition can be recommended to ensure the appropriate temporary treatment of land within this application boundary, including any opportunities for public art on hoardings. It is understood that the remaining land within Vastint's control will come forward as a second outline application, and the temporary treatment of land within that phase can be secured through any permission subsequently granted under that application. With reference to Duke Studio's comments for the need to ensure the safeguarding of the pedestrian and cycle connection across the site along the existing Hunslet Stray route, it is agreed that this route is important and should be retained during construction works. This will be controlled by condition.
- 9.9.5 The area is already served by public car parks at Leeds Dock, Criterion Place, Trinity, in addition to numerous on-street public car parking spaces, and is served by the new Park and Ride routes. The Council's strategy is to promote more sustainable means of travel in this central location and to downgrade the highway network to achieve better quality public realm. It is therefore considered that it would be unreasonable and unnecessary to require the development to provide additional public car parking.
- 9.9.6 Canal and Rivers Trust commented in their representation that the proposal should reflect the longitudinal layout and scale (generally 6-8 storeys) of the historic waterside buildings encouraged in the South Bank Planning Statement 2011. Although the proposal includes the potential for some taller buildings, it still safeguard appropriate pedestrian connectivity routes, sufficient allocation of public space, and the delivery of the mix of uses envisaged in the planning statement. The overall indicative heights of the proposed development does differ from the guidance, however the area is in transition with ambitious infrastructure projects planned such as HS2 and would form part of an extended dense City Centre

environment. In this context the proposal has demonstrated that buildings can be modelled with bases of a more human scale whilst recognising that taller elements of the buildings would not have an adverse impact on the wider townscape environment as discussed at section 9.4 of the appraisal above. It is therefore considered that on balance the proposal would lead to an appropriate townscape and urban form, subject to the provisions of the submitted Design Strategy and future Reserved Matters applications.

- 9.9.7 With regard to comments about the phasing of the proposed development, including how it would affect ASDA's interests, the phasing details are to be controlled by condition. However, the impact on ASDA's interests is considered to be a civil matter between ASDA and the applicants Vastint, and does not affect the merits of the planning considerations.
- 9.9.8 With reference to the condition of the listed buildings on Crown Point Road, these do not fall within this application boundary. However the applicant has made the buildings watertight and is in the process of preparing an application for the second part of their landholdings which will include long term proposals for these buildings.
- 9.9.9 The most recent consent for temporary car parking on the site expires in 2022. However it is conditional to a phased reduction of the total parking numbers by 50% by the end of the period. It is considered that along with the art hub, temporary greenspace and routes, that the temporary car parking can provide an acceptable and active meanwhile use which would not deter permanent redevelopment in this case.

9.10 Section 106 Obligations and CIL

- 9.10.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms,
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

Adopted Development Plan policies would result in the following necessary obligations which it is considered meet the legal tests:

- 5% on-site affordable housing in accordance with policy for the area at a pro-rata mix, split 60:40 lower decile:lower quartile income
- Off- site highways works being a new pedestrian crossing on Crown Point Road between Bowman Lane and Sheaf Street £70,000, City Connect cycle scheme contribution £364,000 and Sovereign footbridge contribution £500,000
- Sustainable travel fund £162,488.75
- Car club contribution £69,350
- Travel plan monitoring fee £20,000
- City Park strategy plan
- Public access through the site including new pedestrian routes and the City Centre Park
- Cooperation with local jobs and skills initiatives

The proposal would be subject to the Community Infrastructure Levy (CIL) and this would be calculated for each of the detailed reserved matters applications.

10.0 Conclusion

10.1 In conclusion, it is considered that the applicants have provided a balanced planning case whereby the following matters would outweigh other matters such as the loss of the unlisted heritage asset, the Gatehouse.

- Up to 850 dwellings with a range of flat sizes and types (including 5% policy compliant affordable housing)
- Significant employment floorspace provision, which would promote new jobs, businesses, innovation and economic growth
- appropriate indicative dwelling sizes which meet the national and Leeds standards
- an appropriate level of on-site resident amenity space and public greenspace, including a significant 2 hectare contribution to the City Park.
- the provision of active ground floor uses around the City park and the streets around the development
- improved pedestrian connectivity in all directions through the site, leading to a new pedestrian bridge link to Sovereign Square and the Leeds Station Southern Entrance, with improved east-west connectivity to Leeds Dock and the education hub.
- Highways enhancements to Crown Point road through off-site highways works to be delivered as part of this application scheme, which could be added to with Vastint's phase two application in the future, to improve connectivity east to west to Leeds Dock and the education hub.

10.2. The Planning (Listed Buildings and Conservation Areas) Act 1990 states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings and pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area. On balance, for the reasons set out above, it is considered that the proposal would enhance the character and appearance of the Eastern Riverside and City Centre Conservation Areas, the setting of the Grade II* listed Chadwick Lodge, and setting of the Grade II listed buildings including the Adelphi Public House, Leeds Bridge House, Salem Chapel, Old Red Lion Public House, and the unlisted The Tetley and Crown Hotel.

10.3 This scheme is a significant regeneration opportunity that will contribute to the delivery of the Council's adopted place-making vision for the transformation of the South Bank, including a new City Park, and high quality sustainable enabling development which will bring with it a large number of new homes, jobs and opportunities for investment and innovation. The scheme would provide a range of house types and sizes suitable for residents of all ages, provide jobs, and reduce carbon emissions. The proposed redevelopment of the site would also enhance the character of the surrounding area, by regenerating a large and prominently located under-utilised brownfield site that has been vacant for many years, with significant new housing and employment uses, and a substantial contribution to the delivery of the City Park. The proposal is on balance in accordance with the Development Plan and national planning policy as described above. Therefore, it is considered that the proposal is acceptable subject to a section 106 agreement, the specified conditions and the lifting of Highways England's holding direction regarding the impact of the proposed development on the strategic highway network.

Appendix 1

Draft Conditions for 17/02501/OT

Appendix 2

Proposed Parameter Layout Plan

Background Papers:

Application file 17/02501/OT

Appendix 1

Draft Conditions for 17/02501/OT

- 1 Application for approval of all reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

Application for the approval of all reserved matters for all of the plots in the second phase shall be made within five years of the date of this permission.

Application for the approval of all reserved matters for all the plots in the third phase shall be made within two years of the approval of all reserved matters for phase two.

Application for the approval of all reserved matters for all the plots in the fourth phase shall be made within two years of the approval of all reserved matters for phase three.

Application for the approval of all reserved matters for all the plots in the fifth phase shall be made within two years of the approval of all reserved matters for phase four.

Development of each plot shall commence no later than two years from the approval of all reserved matters for that phase.

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

- 2 Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, for each plot (or part thereof) before that plot (or part thereof) of the development is commenced.

- a. Layout
- b. Scale
- c. Appearance
- d. Landscaping (including the temporary treatment of future phases of the development and the retention of a pedestrian and cycle connection through the site from the junction of Waterloo Street and Hunslet Road to Crown Point Road)

Plans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

Because the application is in outline only and as no details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority.

- 3 The development hereby approved shall not exceed the following maximum gross internal area (GIA) floorspace or unit levels at any time:

- a. 850 residential dwellings (use class C3)
- b. 85,000sqm business floor space (use class B1)
- c. 15,000sqm flexible uses including retail (use class A1); financial and professional services (use class A2); restaurants and bars (use class A3 and A4); hot food takeaway (use class A5); business floor space (use class B1); non-residential institution (use class D1) and assembly and leisure (use class D2).
- d. The total amount of A1 retail shall not exceed 8000sqm

- f. The total amount of use class A5 hot food takeaway shall not exceed 300sqm
- g. Two hotels with a maximum of 400 beds (use class C1)
- h. 860 car parking spaces with no more than 391 spaces for residential use, no more than 409 spaces for commercial use (comprising B1, C1 and Flexible Commercial Uses). All car parking shall be ancillary to this development only.

In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, local retail centres and the local highway network.

- 4 The net sales area of any of the retail units (within Use Class A1) hereby approved shall not exceed 1,200 sqm

In order to ensure that large scale retail units are prohibited

- 5 A phasing plan for the development (not to exceed a maximum of five phases) showing the anticipated sequencing of the various areas within the development shall be submitted to and approved in writing by the local planning authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission. The sequencing of the development shall thereafter be carried out in accordance with the approved plan, unless otherwise approved in writing by the local planning authority, and any reference to `phase` or `phases` in the conditions below shall refer to the phases detailed in the plan thereby approved.

In order to accord with the provisions of the Leeds Core Strategy, Saved Policies of the Leeds Unitary Development Plan Review and the Leeds Natural Resources and Waste DPD, in the interests of amenity, visual amenity, the provision of affordable housing, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 6 The development hereby permitted shall be carried out in accordance with the plans listed in the Plans Schedule. Reserved Matters applications shall be submitted in accordance with the limits specified in the approved Parameter Plans and the principles in the approved Design Strategy.

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

- 7 Below ground works shall not commence within a plot until a Remediation Statement demonstrating how that plot of the site development will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports, including a template for the form and content of such Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' and to protect the water environment.

- 8 If remediation is unable to proceed in accordance with the approved Remediation Statement for that plot, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the plot/site shall cease unless otherwise agreed in writing by the Local Planning Authority, pending approval of an amended or new Remediation

Statement designed specifically to address the relevant issue or unexpected contamination. That amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works for that plot which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use and to protect the water environment.

- 9 Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme and format pursuant to Condition 6 or 7 (as applicable). The plot or relevant part of the development shall not be brought into use until such time as all verification information in relation to that plot or relevant part of the development has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use and that the site does not pose any further risk to the water environment.

- 10 No development including demolition works shall commence within each plot (or part therein), until a Works Management Plan for that plot has been submitted to and approved in writing by the Local Planning Authority. The works management plan shall include full details of:

- a. the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b. measures to control the emissions of dust and dirt during demolition and construction
- c. location of site compounds and plant equipment/storage
- d. location of contractor and sub-contractor parking
- e. traffic management of deliveries and waste removal
- f. demolition and construction activities and deliveries to site shall be restricted to 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturdays, with no demolition or construction activities on Sundays and Bank Holidays.
- g. how this Statement of Works Practice will be communicated by the developer to local residents and businesses.

The approved details shall be implemented at the commencement of work on each plot, and shall thereafter be retained and employed until completion of works on that plot. The Works Management Plan shall be made publicly available for the lifetime of the demolition and construction phase(s) of the development in accordance with the approved method of publicity.

In the interests of amenities of road safety and amenity.

- 11 No development including demolition works, shall commence within each plot (or part therein) until a programme of archaeological recording is undertaken in line with a written scheme of investigation which has been produced for that plot or other such wider area as may be necessary to suit any archaeological remains. The written scheme of investigation for that plot should be submitted to and approved in writing by the Local Planning Authority. Work shall be carried out in accordance with the details and timescales thereby approved.

To ensure appropriate archaeological recording.

- 12 Prior to the commencement of development a site-wide wind strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall show how any necessary redistribution of massing can be accommodated within the limits of the approved Parameter Plans and Design Strategy. The detailed design of each phase shall be in accordance with the approved wind strategy.

In the interests of the comfort and safety of pedestrians, cyclists and vehicles, and to ensure that the spaces between buildings are suitable for their intended purpose.

- 13 Prior to the commencement of development within each plot (or part therein), a quantitative wind tunnel assessment for the whole development, including that plot, shall be submitted to and approved in writing by the Local Planning Authority with each Reserved Matters application. Any necessary mitigation measures considered necessary by the approved quantitative wind tunnel assessment shall be incorporated into the design of the scheme and constructed prior to occupation of that plot. Any necessary mitigation measures shall be retained as such thereafter.

In the interests of the comfort and safety of pedestrians, cyclists and vehicles, and to ensure that the spaces between buildings are suitable for their intended purpose.

- 14 Prior to the commencement of below ground works within each plot (or part therein), a scheme detailing surface water drainage works for that plot shall be submitted to and approved in writing by the Local Planning Authority. The scheme should be sufficiently detailed with supporting calculations to confirm the pre and post development discharges as well as attenuate storage requirements for the development. Surface water from the development will be subject to balancing of flows to achieve a minimum 30% reduction of the existing peak flow rates from the site up to the 1 in 100 year storm with climate changes. The site shall be developed with separate foul and surface water drainage systems, and no piped discharge of surface water shall take place within a plot until works to provide a satisfactory outfall for surface water drainage have been completed in accordance with details to be submitted to and approved by the local planning authority before development of that plot commences. The works shall be implemented in accordance with the approved scheme before the relevant plot is brought into use.

To ensure sustainable drainage and flood prevention

- 15 No building or other obstruction shall be located over or within:
- a) 3 metres either side of the centre lines of the 229mm/350mm/381mm diameter public combined sewers and 229mm/305mm/381mm diameter public surface water sewers i.e. protected strip widths of 6 metres per sewer, that traverse the site;
 - b) 3.5 metres either side of the centre lines of the 450mm/610mm diameter public surface water sewers i.e. protected strip widths of 7 metres per sewer, that traverse the site;
 - c) 4 metres either side of the centre lines of the unknown diameter, 300mm/305mm/330mm diameter public combined , 533mm diameter rising main and the unknown diameter , 457mm/675mm diameter public surface water sewers i.e. protected strip widths of 8 metres per sewer, that traverse the site;
 - d) 5 metres either side of the centre lines of the 533mm diameter public combined , 406x305mm diameter brick egg combined sewer centre -lines i.e. protected strip widths of 10 metres per sewer, that traverse the site ; and
 - e) 6.5 metres either side of the centre lines of the 2438mm diameter public combined, 991x711mm/1219x610mm/3658x2743mm diameter brick egg combined sewer and the

2362mm diameter public surface water sewer i.e. protected strip widths of 11 metres per sewer, that traverse the site.

If the required stand off distances are to be achieved via diversion or closure of any or all of the sewers, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and development within a plot shall not commence until the necessary works have been undertaken. Any landscaping within the areas identified in points (a-e) shall be agreed with the local sewerage undertaker prior to commencement of landscaping works.

In order to protect the public sewer network and allow sufficient access for maintenance and repair work at all times.

- 16 Unless otherwise agreed in writing with the Local Planning Authority, as part of a reserved matters application, finished floor levels and basement entrance thresholds will be set at least 100mm above the undefended 1 in 100 chance in any year flood level, taking the impacts of climate change into account (upper end 50% allowance), as set out in Table 3.1 and Table 3.2 of the Flood Risk Assessment hereby approved. All proposals for alternative finished floor levels will need to be submitted to and approved by the Local Planning Authority at the reserved matters stage and will need to be supported by detailed assessments and modelling studies, as appropriate. All future models to inform finished floor levels will need to be submitted for review, as part of the reserved matters application. The following mitigation measures as detailed within the approved Flood Risk Assessment shall also be carried out:
- a. Flood exclusion measures shall be included across the development, between the proposed finished floor levels and 600mm above the design flood level, as set out in Table 3.1 and Table 3.2 of the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
 - b. The preparation of flood warning and evacuation plans for the occupants and users of the site prior to first occupation of the relevant plot or phase.

To ensure safe access and egress from and to the site, to ensure the satisfactory storage of/disposal of surface water from the site, and to reduce the risk of flooding to the proposed development and future occupants.

- 17 Prior to the commencement of above ground works within each plot an updated Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, which will include a detailed scheme comprising:
- a. a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit)
 - b. a Site Waste Management Plan (SWMP)
 - c. an energy plan showing the amount of on-site energy produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total demand, unless otherwise agreed in writing by the Local Planning Authority
 - d. for residential buildings, details that demonstrate a minimum of 20% carbon dioxide emissions reduction against Part L of the 2013 Building Regulations,
 - e. for residential buildings the implementation of the low water usage target 110 litres/person/day, unless otherwise agreed in writing by the Local Planning Authority.
 - f. for non-residential buildings, a construction stage pre-assessment to meet at least BREEAM Excellent standard

The development of each plot shall be carried out in accordance with the detailed scheme approved for that plot, and

g. Within 6 months of the final occupation of each plot a post-construction review statement shall be submitted to the Local Planning Authority including demonstration that the building(s) have achieved the relevant certification.

The development and buildings comprised therein shall be maintained thereafter and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development

- 18 Prior to the commencement of above ground works within each plot(or part therein), a large-scale sample panel of all external facing materials, roofing and glazing types to be used for that building work shall be constructed on-site and approved in writing by the Local Planning Authority. The external materials shall be constructed in accordance with the sample panel(s) which shall not be demolished prior to the completion of the building works.

In the interests of visual amenity and the character of the surrounding area

- 19 Prior to the commencement of above ground works within each plot (or part therein) full 1 to 20 scale working drawing typical details of the following shall be submitted to and approved in writing by the Local Planning Authority for that building work:
- a. soffit, roof line and eaves treatments
 - b. junctions between materials
 - c. each type of window bay proposed
 - d. ground floor frontages

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity and the character of the surrounding area.

- 20 Prior to the commencement of above ground works within each plot (or part therein), a Bird Hazard Management Plan for that plot, shall be submitted to and approved in writing by the Local Planning Authority where Reserved Matters proposals incorporate features that might attract nesting birds, as detailed in the Bird Hazard Report (dated June 2017). Works and measures shall be carried out in accordance with the approved plan thereafter.

In the interests of preventing birdstrike to aeroplanes.

- 21 Landscaping works shall not commence within each plot (or part therein) until full details of both hard and soft landscape works, including an implementation programme for that plot, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include
- a. proposed finished levels and/or contours,
 - b. boundary details and means of enclosure,
 - c. external car parking layouts,
 - d. other vehicle and pedestrian access and circulation areas,
 - e. hard surfacing areas including samples to be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability.

- f. minor artefacts and structures such as visitor cycle stands, furniture, play equipment, signs, CCTV and lighting
- g. proposed and existing functional services above and below ground such as drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports

Soft landscape works shall include, where relevant:

- h. planting plans
- i. written specifications (including soil depths, , cultivation and other operations associated with plant and grass establishment) and
- j. schedules of plants noting species, planting sizes and proposed numbers/densities.
- k. details of tree pits, grilles, irrigation systems, underground root cells and soil volumes
- l. soil method statement including soil quality to BS 3882 or equivalent quality.
- m. Green sustainable urban drainage system open water features (where relevant)
- n. implementation programme

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

In the interests of the provision and establishment of acceptable landscape, visual amenity, community safety, highways safety and sustainable travel.

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

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination.

- 23 A landscape management plan for the development or each relevant phase or plot, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase or plot of the development. The landscape management plan shall be carried out as approved thereafter.

To ensure successful aftercare of landscaping

- 24 If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme.

- 25 No works to or removal of trees or shrubs, or built structures with bird-nesting potential shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation or built structures for active birds' nests immediately before (within 48 hours) the works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority within 7 days of such works commencing.

To protect nesting birds in vegetation and built structures.

- 26 Prior to the commencement of above ground works within each plot (or part therein) a site wide plan shall be submitted to and approved in writing by the Local Planning Authority which includes details of:
- bat roosting features within buildings and, or public realm
 - integral bird nesting features within buildings and, or public realm for House Sparrow, Starling and Swift.
- The agreed Plan shall show the number, specification of the bird nesting and bat roosting features and where they will be located, together with a commitment to being installed under the supervision of an appropriately qualified bat consultant. All approved features shall be installed prior to first occupation of the dwelling on which they are located and retained thereafter.

To maintain and enhance biodiversity.

- 27 Prior to the commencement of development including site clearance a Method Statement for the control and eradication of the Invasive Species identified in section 4.4.1 of the submitted Ecological Appraisal Report dated April 2017 by PBA (hereafter referred to as the Target Species) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement will include post-treatment monitoring of the site to ensure a continuous 12 month period of time occurs where none of the Target Species is identified growing on the whole site, if any Target Species is identified as growing on-site during the 12 month monitoring period then treatment shall resume and continue until a continuous 12 month period with no Target Species occurs. The agreed Method Statement shall thereafter be implemented in full.

To control the spread of non-native invasive plant species.

- 28 Prior to the occupation of each plot (or part therein) of the development all areas shown on the approved plans to be used by vehicles (including relevant parking areas) within that plot have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway

To ensure the free and safe use of the highway.

- 29 The gradient of all pedestrian ramps shall meet BS8300:2009+A1:2010 or as amended. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of accessibility for all.

- 30 Prior to the occupation of each plot (or part therein) of the development hereby approved, details of a car park and servicing management plan for that plot including where relevant to that plot:
- access security measures
 - pick-up drop off arrangements
 - servicing and delivery arrangements
 - disabled car parking spaces
 - non-residential staff cycle and motorcycle parking
 - non-residential car share spaces
 - non-residential electric vehicle charging points
 - residential cycle and motorcycle parking
 - residential electric vehicle charging points
 - at-grade surface car club spaces
 - at-grade surface car parking spaces

shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the approved details for that plot prior to the first occupation of that plot. The plot of the development shall be operated in accordance with the approved management plan thereafter.

In the interests of sustainable travel, air quality, amenity, and vehicular and pedestrian safety.

- 31 Prior to the commencement above ground works within each plot (or part therein) construction details of the proposed footway crossings along the site frontage, and details of the proposed method of closing off and making good any redundant accesses, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be constructed in accordance with the approved details and be fully implemented prior to the first occupation of that plot of the development to the satisfaction of the Local Planning Authority.

In the interests of the free and safe use of the highway.

- 32 Prior to the installation of any extract ventilation system or air conditioning plant within each plot (or part therein), details of such systems, including where relevant details of odour and smoke filtration for hot food uses, shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of visual and residential amenity

- 33 Prior to the commencement of above ground works within each plot (or part therein) that includes residential dwellings until a detailed acoustic assessment of buildings and a noise insulation scheme, including details of any necessary mechanical ventilation equipment have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to protect the amenity of the residents of the proposed dwellings from noise from surrounding roads, nearby mechanical plant, nearby late-night entertainment uses and any plant or equipment associated with the approved building. The noise insulation scheme for the development shall be designed to achieve internal noise levels in living spaces not exceeding 35dBLAeq and 30dBLAeq in bedrooms at night, with peak levels kept below 45dBLAmax. The

approved scheme shall be implemented prior to occupation of the dwellings and retained thereafter

In the interests of residential amenity.

- 34 Any A3 food, A4 drinking establishment, leisure or entertainment-type use hereby approved shall not commence unless a scheme to control noise emitted from the premises has been approved in writing by the Local Planning Authority and installed as approved. The scheme shall provide that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises. The approved scheme shall be retained thereafter.

In the interests of residential amenity

- 35 The hours of delivery to and from the non-residential premises shall be submitted to and approved in writing for each plot (or part thereof) prior to occupation.

In the interests of residential amenity, in accordance with Saved Leeds UDP Review 2006 Policy GP5 and the NPPF.

- 36 Prior to first occupation of each plot or part therein, a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority for each type of use in the building(s). The approved scheme shall be implemented before the relevant plot is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

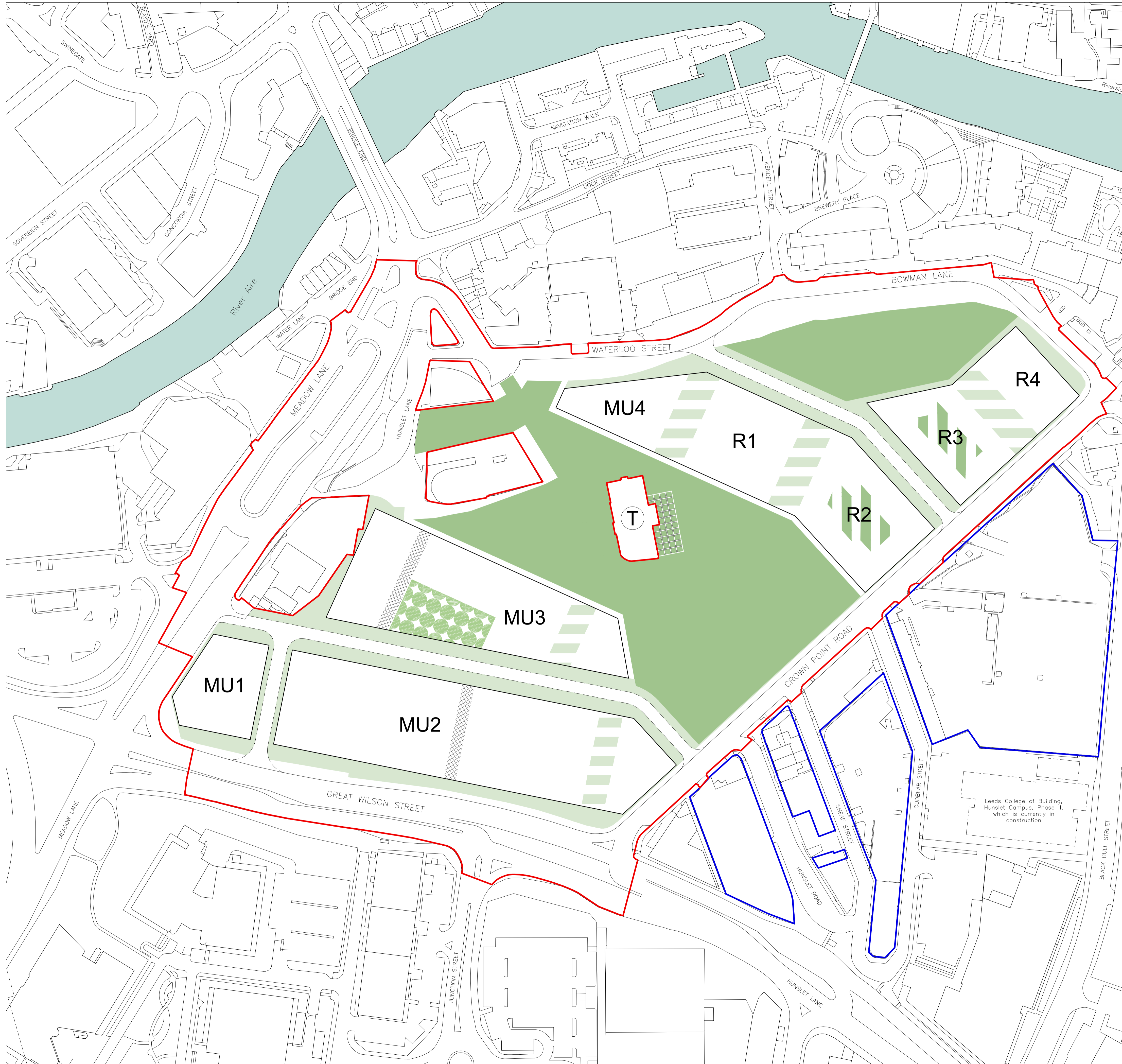
In the interests of amenity, pedestrian and vehicular safety and to promote recycling.

- 37 Prior to the occupation of any non-residential use hereby approved in each plot (or part therein), details of staff shower facilities and lockers for staff for each unit in that phase shall be submitted to and approved in writing by the Local Planning Authority. Showers and lockers shall be available for all units/floorspace prior to its occupation and retained as such thereafter.

In the interests of promoting walking, running and cycling as more sustainable means of travel to work.

- 38 Prior to the commencement of above ground works within each plot (or part therein) excluding demolition, site clearance, remediation works, environmental investigation, site and soil surveys, erection of a contractor's work compound, erection of a site office and erection of fencing to the site boundary that includes residential dwellings, an updated air quality assessment shall be submitted to and approved in writing to ensure that residential accommodation is not subjected to NO₂ levels which would fall below the NAQS objective level of 40ug/m³. The assessment should specify mitigation measures if necessary. Works shall be carried out in accordance with the approved details prior to the first occupation of dwellings in that plot.

In the interests of residential amenity.



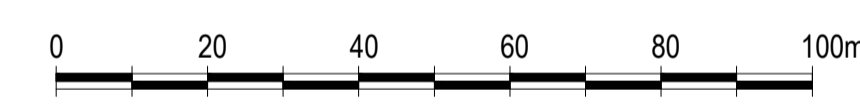
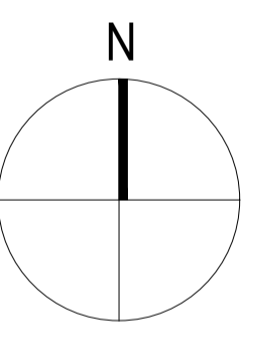
Purpose

To identify a hierarchy of external spaces and the linking of these and to identify the location and minimum area of park contribution.

Key

- Outline Planning Application Boundary
- Minimum Park Area (2ha) Hard & soft landscaping
- Plot
- T The Tetley
- Indicative Pedestrian Priority Zone
- Indicative location of linking way/ shared space
- Semi-private garden court - indicative location & size
- Public square - indicative location & size
- Indicative location of enclosed or open pedestrian way
- Roads
- Outlines a notional space which may be used for a future extension of The Tetley.
- Land Outside the Application Site in the Applicants Control

Client: VASTINT
 Project: VASTINT LEEDS PROJECT
 Location: LEEDS, LS10 1JQ

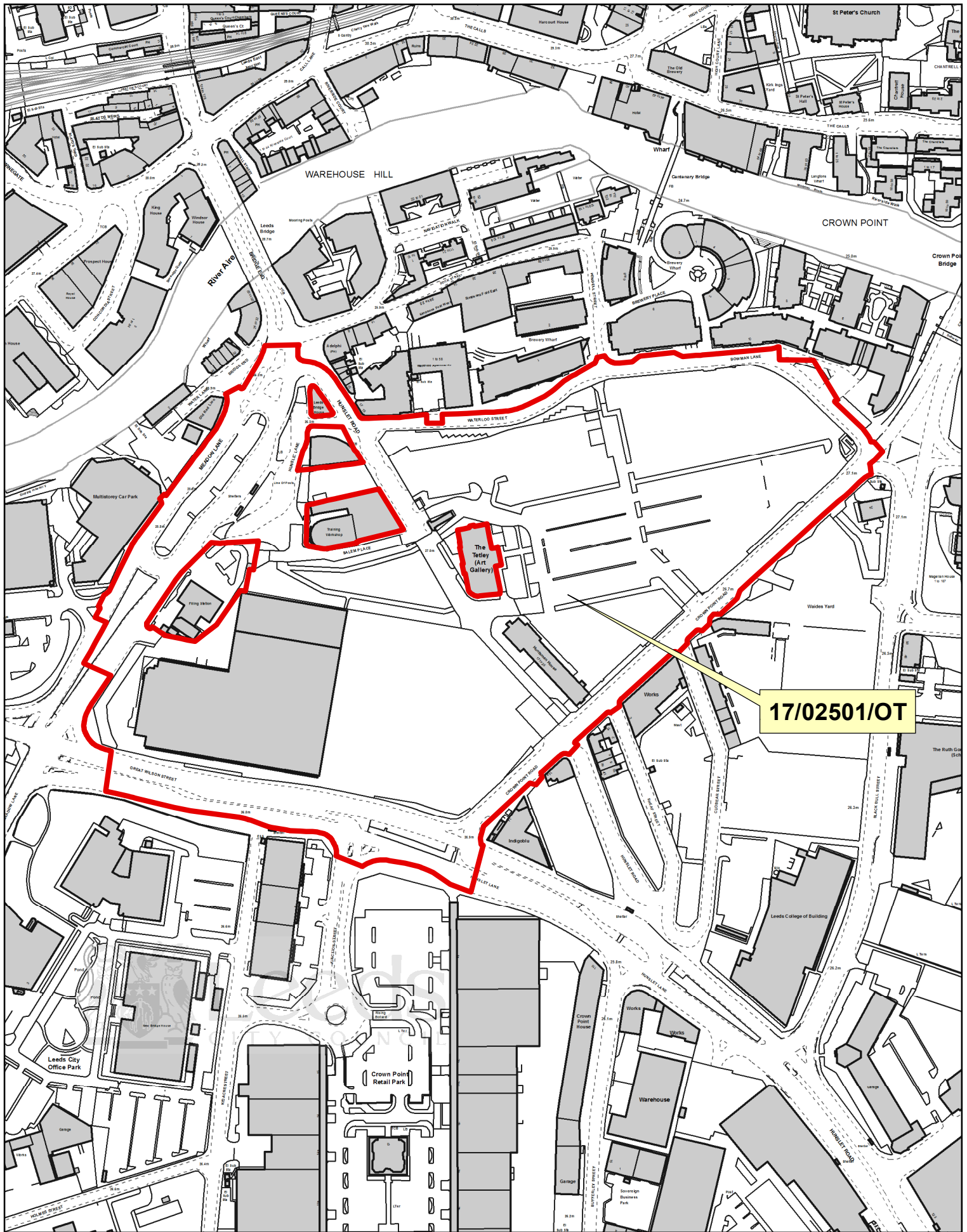


Revisions		
No.	Description:	Date:

Drawing Status
FOR APPROVAL
 ARC-ML Project Number Scale: 1:2,000@A3 / 1:1,000@A1
 Date: 26.09.2017
 (Original drawing sheet is A1)

1502
 Drawing Title
PARAMETER PLAN
 Plan identifying Building Plots, the Park, linking ways, and other open space in addition to the Application Site Red Line and other Land in the Applicants control but outside the Application Site.

Drawing Number Revision
1502-AML-ARC-PP-1-109



CITY PLANS PANEL

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PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/3000

