



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 22nd March 2010

Subject: DEVELOPMENT OF LEEDS ARENA BY LEEDS CITY COUNCIL AT SITE BOUNDED BY CLAY PIT LANE / INNER RING ROAD / WADE LANE / JACOB STREET / BRUNSWICK TERRACE, LEEDS. APPLICATION REFERENCE 09/04815/0T

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse

No

Ward Members Consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Grant permission subject to the conditions identified in Appendix 2 of this report and any others which the Chief Planning officer might consider appropriate.

1.0 Introduction:

- 1.1 This application is brought to the Plans Panel because of the significant cultural and economic importance of the arena to the City and due to its role in regenerating the site and the surrounding area.
- 1.2 Plans Panel received pre-application presentations on 18th June 2009, following a site visit, and 8th October. In the intervening period a Member workshop took place on 13th August, and pre-application public consultation events ran through September and October. The outline planning application was received in November 2009 and Plans Panel considered a Position Statement on 4th February 2010. Minutes of that meeting are attached at Appendix 3.
- 1.3 On 4th February Plans Panel considered the location of the arena and agreed to endorse the preferred location. Mindful of concerns expressed by CABA, Panel also confirmed the acceptability of the outline application process and the design approach being pursued. Plans Panel also broadly accepted the building parameters.

1.4 The main areas for future consideration were identified as:

- How the site would cope with the projected people and vehicular movements and the impact of the Arena on the existing residents.
- The off-street car parking strategy.
- Service road provision, including the taxi/disabled parking provision and the lay-over site.
- The servicing arrangements.
- Pedestrian access and suitability of the routes to and from the site.
- The public realm and the future of the two adjacent development plots.

These issues are considered within Section 10 – Appraisal.

1.5 Proposed conditions are set out in full at Appendix 1. As this application is submitted by Leeds City Council a Section 106 agreement or unilateral obligation is not appropriate as it would entail the Council, as Local Planning Authority seeking planning obligations from itself as landowner and applicant. However, as set out at paragraph 10.8, Grampian conditions can be used to ensure that the development delivers necessary improvements to infrastructure and to comply with relevant policies.

2.0 Site and surroundings:

2.1 The application site is bounded by Clay Pit Lane to the west, the Inner Ring Road to the north, Wade Lane to the east, and Jacob Street and Brunswick Terrace to the south. The site also abuts Yorkshire Bank offices on the south-western boundary. Elmwood Road currently dissects the site. In total the area extends to approximately 2 hectares.

2.2 The western fringe of the site is located at a local highpoint with ground levels falling towards the north, the city centre and across the site towards the east. The Inner Ring Road sits approximately 6 metres lower than the site in a cutting beyond a retaining wall.

2.3 Much of the site has been used for as long stay surface car parking for a considerable period. There is additional on-street parking on Elmwood Road. The former Leeds Metropolitan University Brunswick Building situated on the south-western quarter of the site was demolished in advance of the arena development and this part of the site is now unused. There are rows of trees on the site boundary fronting Clay Pit Lane and Brunswick Terrace, and along Elmwood Road.

2.4 The surrounding area is characterised by a number of large scale buildings, several of which have been recently completed. Most recently, the 37 storey Plaza tower on the west side of Clay Pit Lane and the 25 storey Opal Tower at the eastern end of the site, both contain student accommodation. Tower House and Merrion House on Merrion Way, and Hepworth House on Clay Pit Lane, are earlier blocks containing office and educational uses. To the south of the site, Yorkshire Bank and the Merrion Centre, and to the north, the HBOS building are other notable large buildings.

2.5 To the north/north-east of the site the areas of Little London and Lovell Park contain significant areas of housing including accommodation ranging from single storey almshouses and low-density buildings to 17 storey tower blocks. There are also areas of open space, including Lovell Park itself.

2.6 Queen Square Conservation Area is situated on the west side of Clay Pit Lane. Pedestrian routes in the area are fragmented by major highway infrastructure and some of the larger building plots.

3.0 The structure of the application:

3.1 In accordance with the approach reported to Panel in June and October 2009 the application is submitted in outline form. The application identifies details of the proposed use and access, and is supported by parameter plans and drawings identifying the proposed maximum and minimum tolerances of the arena building (section 4 below).

3.2 The application is supported by a range of technical documentation:

- Design and access statement.
- Planning statement.
- Statement of community involvement.
- Economic statement.
- Foul sewerage and utilities assessment.
- Tree survey.
- Wind study.
- Sustainability statement.
- Flood risk statement.
- Transport assessment.
- Travel plan.
- Environmental Statement.
- Noise surveys.

3.3 The Environmental Statement which was submitted voluntarily by the applicant covers the following issues:

- The site, surroundings and description of proposals.
- Assessment of alternatives.
- Townscape and Visual Impact Assessment.
- Transport and Access.
- Air quality.
- Noise.
- Water resources, hydrology and drainage.
- Waste.

3.4 These chapters are summarised in the Environmental Statement non-technical document.

4.0 Proposals

4.1 The application comprises:

- The construction of up to a 12,500 seat arena. The capacity could increase up to 13,500 when seating is retracted at event floor level to create standing room. The building would have a maximum gross internal floor area of 24,500m²
- The arena building would contain related ancillary eating, drinking and retail concessions only operating when an arena event is on. There would also be a

concourse restaurant (maximum 300m²) within the building which would open all year round.

- The laying out of a new access road and pedestrian footpath following the Inner Ring Road boundary to a new junction with Wade Lane.
- The provision of new public realm primarily between the arena building and Clay Pit Lane.

Further details are provided below.

4.2 Site arrangement

4.2.1 The proposed building is predominantly positioned towards the eastern side of the site. The location largely responds to the change in levels across the site and to servicing facilities situated to the east side of the main arena building which would be accessed via the proposed service road from Wade Lane. Key east-west and north-south axes of the building relate to the alignment of existing development on the southern periphery of the site.

4.2.2 The arrangement enables the area of public realm on the west side of the building to maximise benefits from natural light and ventilation. At the same time the area of public realm relates to and links directly with pedestrian access into the arena building. The public realm responds to the space within Queen Square and produces a new pedestrian route from neighbourhoods to the north towards the city centre. The footpath on the north eastern periphery of the site creates a new convenient pedestrian route from east to west extending the existing network of footpaths leading towards New Briggate and Lovell Park.

4.2.3 The red line site boundary excludes two areas adjacent to Clay Pit Lane which would be the subject of separate applications in the future. It is intended that development of these areas would help to frame the piazza space and would assist in screening the space from traffic on Clay Pit Lane. Potential uses could include restaurants, cafes and a hotel. It is likely that the buildings would be constructed up to the Clay Pit Lane footway to produce a strong street edge. The scale and layout of buildings would be informed by the design, scale and requirements of the arena public space, the form of the arena itself, pedestrian movements and the scale of neighbouring buildings (notably Yorkshire Bank to the south and Hepworth House to the west). Development within the southern plot would not be likely to be no more than 3 storeys in height. Development within the northern plot would largely be of a similar height with potential for taller element towards the northern end. In the interim the areas within the blue line would benefit from high quality landscaping.

4.3 Building use

4.3.1 The arena auditorium would have a flexible format able to accommodate a range of events from music and family entertainment to sporting events. The fan shaped design reduces viewing distances and removes redundant seats behind the stage. The expected frequency of events is set out below:

Event type	Expected attendance	Annual frequency
Music events	Range up to full capacity	59
Sport events	6500	2
Boxing events	Maximum	1
Family shows	5625	22
Musical stage shows	5625	20

Exhibitions	5000	18
Other	3750	20
Total		142

4.3.2 It is likely that musical events would commence around 1900 hours and finish between 2200-2300 hours. A small number of events, such as boxing, may not finish until 0200 hours. Due to requirements for servicing and dismantling of stage equipment following events the arena would be operational 24 hours a day.

4.3.3 The arena would contain ancillary restaurants, bars and retail concessions within the building that would only be open at event times. There would also be a concourse restaurant that would open independently of arena opening hours. The restaurant would be situated facing the piazza so as to add vitality to the area on non-event days. Details of the scale and location of the restaurant would be finalised at detailed design stage although it will be no larger than 300m². The arena box office would be open from 1000-1800 hours on non event days and from 1000-2100 hours on event days.

4.3.4 A “Changing Places Toilet” will be provided in main concourse area well related to restaurants, lounges and other areas used by the public.

4.4 Building parameters

4.4.1 The parameters of the building have been set to enable a degree of flexibility in developing the detailed design. The building would taper from the public entrance and auditorium at the western side to the covered service area at the eastern extreme of the building. Better appreciation of the potential building mass is obtained by reviewing the drawings and sections. However, the parameters identify the following dimensions:

Main arena

Maximum ground level north-south width – 119 metres at west end
Minimum ground level north-south width – 106 metres at west end

Maximum ground level north-south width – 93 metres at east end
Minimum ground level north-south width – 79 metres at east end

Maximum roof level north-south width – 123 metres at west end
Minimum roof level north-south width – 97 metres at west end

Maximum roof level north-south width – 60 metres at east end
Minimum roof level north-south width – 45 metres at east end

Maximum height 39 metres at west end
Minimum height 32 metres at west end

Maximum height 32 metres at east end
Minimum height 27.5 metres at east end

4.4.2 The south eastern corner of the building close to the junction of Brunswick Terrace and Jacob Street would primarily contain offices and dressing rooms. This part of the building would be a maximum of 11 metres and a minimum of 8 metres in height.

4.4.3 To the east of the main arena building the service area would include the covered rear loading area and acoustic canopy. This part of the building would be both narrower and lower than the main mass of the arena building. The service yard canopy would slope down from its point adjacent to the stage area to its eastern extreme north of the Opal 3 tower. The maximum height of the canopy would be 11.5 metres (minimum height 8.5 metres) adjacent to the stage and a maximum height at the eastern end above Elmwood Road of 10.5 metres (minimum 8.5 metres). Opal 3 would be separated from the higher parts of the main auditorium by lower, ancillary parts of the building, and intervening space, a minimum combined distance of 20 metres. The form of the arena is such that distances between the higher parts of the building and Opal 3 increase significantly towards Brunswick Terrace.

4.4.4 Paragraph 2.4 refers to the urban context and the large scale buildings in the vicinity of the site. The Visual Impact Assessment and submitted sections illustrate how the scale of the building would be subsumed into the cityscape, particularly in medium to distant views. Closer up, the scale of the building is clearly more apparent although the magnitude of impact varies depending upon the viewpoint and sensitivity of the viewer. The Environmental Statement concludes that the effect of the completed building on nearby residents, shoppers and business users would be primarily neutral though observes limited negative impacts on residents within properties to the east of the site. It is proposed to mitigate the impact through limiting the scale of the building and providing quality landscaping.

4.5 Design philosophy

4.5.1 It is intended to provide a building with a high quality external appearance with an integrated approach to the nature of the building and public realm. The outline design for the building has been influenced by the following design principles:

- Minimising the footprint of the arena – seeking the most efficient use of the site
- Creating clear and distinct volumetric zoning – considering the three dimensional impact of the building
- Develop banded stratification of function – identifying the differing layers of operation and visitor interaction
- Responding to the characteristics and constraints of the site
- Natural light and ventilation
- Clear pedestrian flows – providing a well-defined and signposted public realm and movements from the city centre
- Zoned servicing approach

4.5.2 These principles will be followed to develop the detailed design of the building for the reserved matters submission. The choice of materials is noted as being of central importance.

4.5.3 The Design and Access statement discusses the elevational strategy for the building. Each of the elevations will be considered in response to the scale, use and massing of neighbouring buildings and spaces:

- The Brunswick Terrace elevation will reflect the internal staff and office functions

- The west, entrance, elevation will create a sense of anticipation on arrival, animating the piazza. The elevation may be glazed to allow movement and forms within to be viewed from outside.
- Elevations viewed from the Inner Ring Road are a showcase for the city
- The “back of house” functions will be screened and the elevation will provide a high quality appearance when viewed from Wade Lane and the Inner Ring Road.
- The arena would be conceived as a spectacular and identifiable form that creates a unique identity for the building.

4.5.4 The elevational treatment will be developed from these sectional requirements.

4.6 Public realm and landscaping

4.6.1 The site currently contains no public realm and has minimal amenity value. Reference to the location of the area of public realm was made at paragraph 4.2 above. Flexibility within the building parameters is such that the final scale of the public realm is undefined at the current time although the area would be in the region of 25-30 per cent of the site. The main piazza would be between 40-65 metres in depth from the front entrance of the building to Clay Pit Lane. It has recently been confirmed that the Clay Pit Lane frontage adjacent to the site will be integrated into the hard landscaping proposals. The space would extend northwards between the building and proposed development plot and open out in a southerly direction towards Brunswick Terrace. A section of Brunswick Terrace adjacent to the arena will be pedestrianised and whilst the junction of Brunswick Terrace with Merrion Way will be raised to give priority to pedestrian movements.

4.6.2 The detailed design of the piazza will come forward as part of the reserved matters submission, responding to the detailed design of the building. There is a potential that on event days the public space would effectively extend into the arena entrance foyer. The piazza will incorporate a mixture of hard and soft landscaping intended to create a high quality public space and the main pedestrian gateway into the arena building. The landscaping scheme will ensure that security features are integrated into the overall design of the piazza. Level changes throughout the public realm will be minimised to encourage ease of movement.

4.6.3 The Design and Access statement identifies key landscaping principles reflecting the concept plan. It is stated that the majority of existing trees along Clay Pit Lane and Brunswick Terrace will be retained. Areas of primarily hard landscaping are proposed for areas of heavy pedestrian footfall. There would be differentiation in materiality between pedestrian and shared surface areas. Opportunities for soft landscaping would be considered where pedestrian footfall is less intense. A potential for soft landscaping along the Clay Pit Lane frontage, and between Opal 3 and the rear of the arena is also identified. The potential for the use of a green wall and a green roof to the service area is also being explored.

4.6.4 The objectives of the soft landscaping are to:

- Provide a clear edge to the site;
- Create a visual and conceptual link between the site and Queen Square;
- Guide pedestrian movement through and across the arena site;
- Improve the visual amenity of the area;
- Soften the scale of the arena;
- Provide additional biodiversity value.

4.6.5 A lighting strategy will be developed as part of the reserved matters submission. It is intended that the arena will be illuminated to add to the sense of arrival and to enhance the design of the building. The lighting strategy will also consider safety requirements and respect neighbouring uses.

4.7 Access and connectivity

4.7.1 Detailed approval of access proposals are sought. This includes accessibility to and within the site for vehicles, cyclists and pedestrians in terms of the positioning and treatment of the access and circulation routes and how these fit into the surrounding access network. The application is supported by a Transport Assessment which seeks to demonstrate how the trips associated with the arena could be safely and satisfactorily accommodated. The Travel Plan identifies a number of measures intended to promote greener travel choices and to reduce reliance on the car. The Access Plan summarises physical improvements and access proposals in the vicinity of the site.

4.7.2 Pedestrian access

(a) On site

Existing pedestrian access across the site is extremely poor. The laying out of the piazza will add a new high quality north-south route. The footway alongside the Inner Ring Road would create a new route assisting east-west movement and link up with footpath networks to the east of the site.

(b) Off site

The site is located approximately 1200 metres from the bus and coach stations and slightly further from the train station. Options such as taxis and commercial bus services are available for those whom these walking distance would be unsuitable.

Following an audit of pedestrian routes improvements are identified in the following areas.

- New signal controlled crossing on Clay Pit Lane to replace the existing crossing close to Providence Place. The crossing would be positioned at the western edge of the piazza. Whilst the design of the crossing has not yet been developed it is envisaged that the facility would be designed to enable high volumes of pedestrians to cross Clay Pit Lane in a single movement.
- New uncontrolled crossing on Merrion Way between the Merrion Centre and Brunswick Terrace. This would take the form of a raised plateau.
- Footway improvements on Merrion Way adjacent to Merrion House.
- Pedestrian crossing facilities would be included within the new site access junction.
- Subway improvements close to Woodhouse Lane multi-storey car park.
- Minor footway widening close to the junction of Woodhouse Lane and Clay Pit Lane (outside the former Coburg).
- Improvements to Providence Place including a raised platform near the Clay Pit Lane junction.
- Improvements to the pedestrian access to Woodhouse Lane multi-storey car park are also envisaged which would improve safety and also accessibility to disabled persons car parking spaces.

Pedestrian access proposals would be supported by signposting between the site and key locations within the city centre, and supplemented by the production of a map to identify pedestrian routes. Travel Plan information boards will also be provided within the arena. The arena will be incorporated on the City Map.

4.7.3 Public transport

There are several bus stops located adjacent, or close, to the proposed development providing good public transport links. In the future, the planned introduction of NGT will further enhance this provision with a stop on Woodhouse Lane. Bus operators have indicated that they would consider alterations to later evening services, involving relocation of services onto the Headrow, to reduce walking distances from the arena following events.

Metro have requested improvements including new shelters, live bus information displays, and raising of kerbs to several of the existing stops near to the site. Metro have also requested a live bus information display within the development. The applicant has confirmed that the bus stops will be improved and the information screen provided prior to the arena opening. Consultation will also be undertaken with Metro regarding the provision of discounted ticketing.

The level of public transport contribution required by the Public Transport Improvements and Developer Contributions SPD has been calculated as £123,156. The applicant has confirmed that this sum will be paid prior to opening of the arena.

4.7.4 Cycling

The arena is within easy cycling distance of a large part of Leeds and is adjacent to the Alwoodley to City Centre strategic route. The arena therefore offers great potential for staff and visitors to cycle to and from the arena. The following improvements are proposed to cycling infrastructure:

- Provision of a continuous cycle lane along Clay Pit Lane to address the current break in provision
- Secure cycle parking within the arena development
- Shower, changing and locker facilities for staff
- Signposting of routes

4.7.5 Coaches

A number of options for coach and taxi parking have been explored through the application process. Road safety, accessibility and amenity considerations have all been considered. It has been concluded that the most appropriate arrangement would be to locate up to 15 coaches on Wade Lane which is predominantly occupied by commercial properties. Businesses in the area could benefit from trade arising from coach passengers alighting in this location. The spaces could either be permanently marked out and reserved for coaches or remain as Pay and Display parking during the day. Coaches could potentially wait in these spaces for the duration of an arena event rather than having to move to a layover area. If occasionally, additional coach spaces are required drop off/pick up could occur further north on Lovell Park Road avoiding locations in close proximity to residential properties. A layover area for coaches has not yet been identified. The applicant is looking at a number of sites around the periphery of the city centre. A condition is proposed requiring such an area to be agreed before use of the arena.

4.7.6 Vehicular access

A new two way access road would be constructed along the northern boundary of the site. The road would run from an improved junction with Wade Lane to the east of Opal 3 and terminate at a turning head approximately 20 metres east of Clay Pit Lane. The northern limb of the road would be private. There would be limited vehicular access to the site with provision only for disabled drivers, taxis, servicing and emergency vehicles.

Taxis would utilise the new access road with drop off and pick up in the turning circle close to the arena entrance. The layout suggests that approximately 30 taxis would be able to queue along the access road. The rank will accommodate provision for wheelchair users to gain access to vehicles. The arrangement will be finalised at detailed design stage.

4.7.7 Car parking

Approximately 250 long stay car parking spaces would be removed from the site as a result of the development. The arena development does not provide new car parking facilities other than spaces for disabled people. The parking strategy for the arena is based upon the utilisation of existing city centre car parks. There are approximately 2,880 publicly available parking spaces within 400 metres of the site. Woodhouse Lane multi-storey car park (1271 spaces) would be the main arena car park with additional provision from other city centre car parks such as the Merrion Centre (1050 spaces). A detailed management strategy, including variable message signing, would be provided to ensure that vehicles accessed available parking facilities without unduly affecting the highway network. Works to Woodhouse Lane multi-storey car park would be undertaken, including the replacement of the existing barrier system with a pay and display arrangement.

On-street parking for arena visitors within Little London, Lovell Park and other nearby residential areas will be actively discouraged to protect amenity. This would be achieved by extending the hours of existing permit regulations and/or by introducing additional zones where necessary. The precise details will be determined through the Traffic Regulation Order process that would be subject to consultation. The proposed planning condition requires that the success of the revised regulations is reviewed after 6 months to allow for adjustment, if necessary.

Disabled persons parking spaces are to be laid out alongside the site access road. The existing layout identifies capacity for 10 spaces. 5 additional bays would be provided on Merrion Way; 3 on Jacob Street and 6 would be provided on Tower House Street replacing existing pay and display spaces. There are also existing disabled person's spaces in Brunswick Terrace (6), Belgrave Street (9) and Portland Crescent (6) which would be retained. Consequently, up to 45 spaces are currently identified. The applicant is also investigating the potential for the provision of additional spaces within Queen Square. Improvements to access from Woodhouse Lane multi-storey car park would also enable additional disabled persons parking bays to be provided in that car park.

Two spaces are identified adjacent to the access road that would be able to accommodate charity minibuses with Blue Badge occupants. Such minibuses could utilise any of the proposed disabled persons parking spaces around the site. Tower House Street could be used for drop off and pick up.

4.7.8 Travel Plan

The main objective of the Travel Plan is to reduce car trips associated with the arena, particularly single occupancy car journeys. In addition to those facilities referred to above the following potential measures for arena visitors and staff are identified in the Travel Plan to encourage trips by sustainable modes of transport:

- Travel information when purchasing tickets
- On site information for visitors
- Discounted travel tickets
- Dedicated bus services
- Flexible working hours for staff
- Teleconferencing
- Car sharing and car clubs
- Cycle and equipment purchase

The deliverability of some of these measures will be dependent upon detailed consideration by the operator and discussions between the operator and others such as Metro and artistes. The applicant has agreed to pay a fee for the monitoring of the Travel Plan.

4.7.9 There will also be a demand from private hire and the public to pick up and drop off people near to the arena. Although this activity is difficult to control there is space nearby on Merrion Way, Clay Pit Lane and Wade Lane, and further afield where there is the opportunity to briefly stop to drop off or to pick up passengers.

4.8 Sustainability

The Sustainability Statement documents the performance of the proposals in relation to the four key sustainable development themes:

- Environmental performance
- Natural resources
- Economic performance
- Social performance

The arena aspires to set a new benchmark for sustainable performance of arenas in the UK with a BREEAM rating of “very good”.

4.8.1 Environmental performance

The environmental performance of the arena is critical to it achieving a “very good” sustainable BREEAM rating. Priorities include minimising energy use and CO₂ emissions; utilising sustainable modes of transport; protecting and enhancing landscape and biodiversity; and operation of the site in an environmentally considerate manner.

The arena will use efficient building services to improve its environmental performance. The main boilers will use low emission technology combined with advanced control mechanisms. Heat recovery systems and chilled water units will minimise operation processes.

There will be a significant fluctuation between base and peak energy demands at the arena. High energy performance standards will minimise the requirement for heating and cooling; reduce the reliance on artificial lighting and minimise heat loss and gain.

Although the detailed energy scheme continues to be developed as part of the overall scheme the arena project has committed to produce 10% of its energy through a mixture of on-site renewable and low carbon energy sources in line with RSS Policy ENV5. A feasibility study details the low and zero carbon technologies that can be delivered. In particular, the report concludes that Combined Heat and Power will deliver the majority (8%) of low carbon energy. The CHP plant will be supported by zero carbon technologies which may include solar thermal, photovoltaics and wind turbines. Provision will also be made to link into a future District Heating and Cooling network.

4.8.2 Natural resources

The development will pursue the following objectives:

- Minimise the amount of potable water used
- Source materials from environmentally and socially responsible sources
- Reduce waste through design and maximise re-use and recycling of materials during construction and operation
- Improve the resilience to climate change

4.8.3 Economic performance

The project aim is to deliver an annual economic impact into the Leeds economy of £25.5m per annum (net cumulative GVA of £376m by 2030). Recent estimates predict the creation of 453 full time equivalent jobs directly attributable to the arena. The maximum number of construction jobs (364) would peak in 2011/12.

The Sustainability Statement refers to the wider economic benefits of the arena being the ability to attract and retain residents; an improved quality of life; the stimulation of further development and regeneration; attracting business to the city; and an improvement to the city's profile.

4.8.4 Social performance

The arena aims to raise the profile of Leeds, enhancing the northern quarter of the city and fostering civic pride. The Council has set a range of social responsibility targets through benchmarked contractual agreements. These include a target of 25 educational visits a year and 120 work experience placements. Additionally, the scheme will provide training and employment opportunities for local people. Contractors will be required to create 100 jobs using Job Centre Plus or equivalent schemes. Preference will be given to residents in wards surrounding the arena, followed by residents of Leeds. The contractor will also be required to provide 90 apprenticeships for the construction stage of the development.

4.9 Noise

There will be noise generation associated with the construction and operational phases of the development. This has the potential to affect occupants in nearby residential accommodation. These issues were considered in the Environmental Statement and mitigation measures identified. Subsequently, further monitoring has

been undertaken around the site by the applicant to add further information regarding background noise levels.

Noise from construction activities would be in accordance with the relevant British Standard. Large construction vehicles would access the site from Clay Pit Lane, away from the most noise sensitive premises. Working hours would be controlled and a Code of Construction Practice would be adopted.

The arena auditorium would be designed to meet acceptable criteria. It is expected that entertainment noise would not be audible in nearby residential properties at any time.

Arena evening events will predominantly finish between 2200-2300 hours (see paragraph 4.3.2 above). The majority of arena visitors will disperse towards the south (Merrion Way) or west (Clay Pit Lane) following events thereby avoiding noise sensitive properties. Signage will be used to encourage patrons using coaches parked on Wade Lane to avoid more sensitive routes.

Some plant and machinery associated with the arena will operate 24 hours a day. However, building services noise will be designed to meet acceptable criteria.

The service yard may be used at all times of the day or night. The yard will be acoustically enclosed and covered to prevent noise breakout. An off-site holding area will be provided for HGV's. The arena operator will conduct a "just in time" arrangement using electronic communication to ensure vehicles do not wait outside the service yard. Routes to be used by vehicles will also be agreed as part of the management plan.

5.0 Statutory Consultations

English Heritage (17.11.09)

Do not wish to offer any comments.

Environment Agency (14.12.09)

We have no objection to the scheme subject to a condition to improve the existing surface water disposal system.

Government Office for Yorkshire and the Humber

No response.

Highways Agency (2.12.09 and 8.3.10)

Extensive pre-application discussion has taken place to agree trip generation, modal split assumptions and trip distributions. Assessments show that strategic road network junctions will operate satisfactorily and no physical improvements to the junctions are necessary providing that the measures identified in the Travel Plan, particularly through sufficient cycle parking spaces, are delivered. The Secretary of State directs that conditions regarding the implementation and monitoring of the Travel Plan, and the provision of cycle lockers and covered stands, should be applied.

Highways (25.2.10)

The assumptions made on usage of the arena is that there will be 142 events per year. Most events will not fill the arena and a profile of events of varying sizes has been presented as follows:

91 – 100% occupancy	1 event
76 – 90%	31 events
51% - 75%	16 events
31 – 50%	60 events
Up to 34%	34 events

The transport assessment has examined three scenarios, a worst case event where 90% capacity is reached, a typical event of 50% and a matinee of 45% capacity on a Saturday afternoon. The comments on car park capacity and network capacity are mostly based on the 90% event, but it must be remembered that this is representative of only a few events each year where it might be expected that transport infrastructure would be near to capacity. Also the assumption that 80% of people would travel by car is very robust, based on the travel pattern at the MEN Arena, other evidence suggests that car travel could be around 75% of trips with more use of public transport.

Coach Parking

There is little hard evidence on coach parking requirements. The mode split information in the T.A suggests demand could be as low as 5 full coaches for a 90% of capacity attendance event. Even if coaches were only half full, the requirement would be for 10 coaches. However, SMG, the arena operator have indicated that up to 30 coaches could be expected occasionally for some events.

The current access plan suggests that 15 spaces could be available on Wade Lane, the spaces will need to be available for evening events and a proportion also for Matinees. The spaces could either be permanently reserved for coaches or remain as P&D parking during the day. This decision on the type of control, would not affect the coach provision for the arena and would be based on the practicality of introducing the required controls and balancing the two demands and potential environmental issues. Coaches could wait in these spaces for the duration of an arena event rather than having to move to a lay over area as they are away from sensitive locations.

If on occasions, a greater number of coaches needed to be accommodated, drop off/pick up could occur further north on Lovell Park Road where there is less impact on residential occupiers. Pedestrian signage to the arena via the pedestrian link to Clay Pit Lane and Elmwood Lane would be beneficial to both coach occupants and general pedestrian movement from the area.

For there to be complete confidence in the adequacy of the coach provision, a lay over area needs to be identified in reasonable proximity to the site, respecting panel members views on the unacceptable use of Woodhouse Moor. A site in Cross Green such as the wholesale market site could be a more suitable location for the council to investigate.

Charity minibuses with disabled: Two disabled taxi bays on the access road could be lengthened, whilst maintaining 11 no total bays to accommodate charity minibuses. If more than two minibuses were to attend, they would have to use the coach facilities on Wade Lane, these are all within 250m of the arena entrance. Tower House

Street is available to drop off and pick up closer to the arena, within 100m of the entrance, if minibuses wished to use this facility before parking up.

Taxis

All existing taxi rank provision in the area will be retained. A new 24hour taxi rank will be provided on the access road. The length of rank is to be finalised at detail design stage, the current layout allows for approximately 30 taxis to queue which meets the expectations of the trade. The detailed design of the rank will accommodate provision for wheelchair users to gain access to vehicles, this could take the form of a dedicated area that suitable vehicles pulled into when required. The precise details will be controlled by condition and be the subject of consultation with access and taxi groups. Currently of the 537 licensed taxis in Leeds, 275 are able to take wheelchairs, i.e. just over half, so it can be expected that sufficient vehicles would be readily available.

Private Hire / Public drop off and pick up

There will be a demand from both private hire and the public to pick up and drop off people near to the arena. These activities have the potential to compete for kerb space with taxis, coaches and blue badge holders.

Adequate provision has been made for taxis, coaches and disabled around the site and the required kerb space for these uses will be controlled by TRO.

There is no practical way of controlling this activity, however, there is other space on Merrion Way, Clay Pit Lane and Wade Lane and further afield where drivers will be able to safely stop briefly to drop off and pick up passengers.

Car Parking

Section 7 of the T.A examines the available car parking in the city at the time of events. The car parking considered is limited to public multistorey car parks. On street P&D spaces or surface car parks have not been considered as on street spaces tend to fill quickly in the early evening already and most surface car parks have an uncertain long term future.

Information is available on several car parks near to the arena through the variable message sign system. The car parks are generally almost empty during the evening, with the exception of St Johns which tends to be one third full, probably related to Grand Theatre audiences.

Within the core of the city centre there are 7,607 car parking spaces within multi storey and surface car parks with over 6000 being available by 18:00hrs and 3,700 on Saturday afternoons for matinee events. It is expected that the 'worst case' events that occur in an evening will have a demand of 3,790 spaces, and 2,190 spaces for a typical event, whilst Saturday matinees are expected to have a demand for 2,140 spaces. Therefore there is sufficient car parking available in city centre car parks for all types of events.

For the worst case evening events there is almost sufficient spare capacity available in the nearby car parks, Woodhouse Lane, Merrion, Rose Bowl, The Light and St John's, The Core and West Riding House based on the information provided, however some cars would need to park in more remote car parks. For a typical event, the car parking demand is almost satisfied by the Woodhouse Lane and Merrion car parks alone, a few cars would have to park in other car parks. On Saturday matinees again a few cars would need to park in more remote car parks.

It would not be unreasonable to expect that for various reasons some people would choose to park elsewhere in the city and the car parking will be self regulating. However, In order to manage the car parking demand, a combination of the car park message signage and new 'free text' signage will be used. The 'free text' signage can provide more specific information, giving advance warning of events and to describe driving conditions as they change.

The prospect of a matinee on a weekday has not been considered, evidence from other arenas is that these events are not a part of their schedule for the forthcoming year. Section 7.6 of the T.A recognises the need to alter the operation of Woodhouse Lane car park to enable free flow in and out. A separate council project is being undertaken to examine this as well as improving pedestrian access to the car park.

A 'with Eastgate Quarter' scenario has been considered that demonstrates that the car parking demand can be accommodated within similar parameters to that described above. No consideration has been given to how other car parks will operate with the arena traffic, however barrier capacity to allow vehicles to enter without queuing on the highway would be expected to be adequate.

It is also clear that residential areas surrounding the arena will need to be protected from over spill car parking, to that end the resident parking schemes that currently exist will be reviewed and coverage extended where necessary. The need for this work is accepted in the T.A Section 7.7, the detail of these works will be covered by condition. The TRO review will be a time consuming process, in view of the extent of streets affected and the need for consultation, so should commence at least a year in advance of arena opening.

Disabled car parking

BS8300 'Design of buildings and their approaches to meet the needs of disabled people' suggests that 6% of the car parking provision should be designated disabled spaces and a further 4% should be enlarged spaces capable of being used by the disabled. The UDP maximum parking standard would be 900 spaces that would suggest 54 designated disabled spaces were provided and 36 enlarged spaces.

It is proposed that by amending existing on-street controls, providing space on the access road and including the current Merrion car park that the nearest designated disabled parking bay availability will be as follows:

Brunswick Terrace/Tower House St	15no
Merrion Way	9no
Access Road	9no
Queen Square (potentially)	12no
Merrion Car park (difficult for wheelchairs)	12no
Total	57no

Additionally two spaces can be provided on the access road for minibuses carrying disabled people. Further disabled spaces are available within other multi-storey car parks around the site, including 17 in the Rosebowl, 4 in Woodhouse Lane, in The Light, The Core (8) and West Riding House (6) and 40 on street in various locations within 400m. The above gives a level of provision commensurate to the guidance.

Trip Generation:

It has been assumed that only 1 event per year will be more than 90% of capacity, the likelihood of this will vary depending on the performers touring in a particular year, therefore weight must be given to the ability of transport infrastructure to deal with this scale of event even if they are rare.

There is little information available on the way people travel to arena events. The information that is available is consistent in predicting that a high proportion of people will travel by car. The assumed 80% and 86% for matinee mode shares seem robust but not unrealistically so. If the high car borne trip rate is accepted, then it implies that other modes will be a low proportion of trips, however this still represents a significant number of journeys, which should increase with sustainable travel planning.

The departure profile suggested in the T.A correlates with work done on the rate at which Woodhouse Lane car park can empty. Traffic modelling has been undertaken using traffic distribution software to assign traffic to the network in a similar manner that Sat-Nav might guide a vehicle to the arena. Also a sensitivity test has been undertaken on the distribution of traffic from the strategic road network based on the likely signing strategy for the arena.

Woodhouse Lane car park distribution following events has been examined in depth. It was considered that the only efficient way of emptying the car park was to force vehicles to exit at their first exit as they descend the ramps, this would mean that substantial amounts of traffic would exit at levels 12 and 7, with a lower proportion at level 2. The impact on the network has been tested for both traffic exiting according to their desired destination and on the exit management plan.

The above modelling work confirms that based on the current operation of the network some localised congestion would occur for the worst case events and Saturday matinees and that some adjustment of signal timings will be necessary to develop a traffic signal plan to avoid queuing on the network. Further model analysis has demonstrated that such changes to signal timing are feasible. UTC will need their staff costs funding by the development for the preparation of the signal plans.

The network will be tested against the NGT proposals, particularly with reference to Blackman Lane.

Sustainable Transport Assessment

Pedestrian:

The main pedestrian approaches to the site are likely to be from Woodhouse Lane car park and the university / residential areas that feed onto Woodhouse Lane, from the city centre and public transport hubs via Cookridge Street and New Briggate/Merrion Street. Much of the movement will focus on Merrion Way and Brunswick Terrace.

To aid the movement from Woodhouse Lane a new wide crossing will be provided across Clay Pit Lane on the site frontage and the existing facilities at the end of Merrion Way reviewed. The footway in front of the Coburg will be widened and an alternative route provided via a new footpath from the car park to Queens Square Court, which will then lead via Providence Place to emerge near the new crossing on

Clay Pit Lane. The mouth of the Providence Place junction will have a plateau to improve pedestrian priority at this location. To help spread the pedestrian load, both routes will be signed.

Merrion Way will have the footway in front of Merrion House improved and a plateau will be introduced at the Brunswick Terrace junction to assist in providing pedestrian priority across Merrion Way.

A crossing point on Wade Lane is required to the south of the Merrion Way junction as this will be a natural desire line towards the arena from public transport and car parking to the south east of the city centre.

It is acknowledged that Merrion way will have a large pedestrian movement along and across it associated with events, as well as vehicle movements associated with the car park and drop off and pick up. A scenario has been tested whereby additional vehicle movements associated with taxis and visitor movement has been added to expected car park traffic and existing traffic to confirm that there is junction capacity available and the street can operate satisfactorily for all users.

The area of Brunswick Terrace between the two vehicular access points to the casino and Tower House car park and service yard will be pedestrianised to create more break out space around the arena.

Cycle Access:

The Alwoodley to City Centre strategic cycle route surrounds the site. Continuous inbound and outbound cycle lanes are proposed on Clay Pit Lane which will assist in linking to this route and create a continuous commuter cycle route to the arena and into the city centre from the north.

A greenway is being created as part of the Little London regeneration project which emerges at Carlton Gate, consideration needs to be given how this route links to the arena.

Public Transport:

Metro have provided comment requesting enhancements to the following stops in the area.

Wade Lane inbound (11139) – Shelter and Real Time

Wade Lane outbound (10917) – Real time installed in existing shelter.

Woodhouse Lane O/B (10915) – Real time installed in existing shelter.

Woodhouse Lane O/B (10913) – Real time installed in existing shelter.

Clay Pit Lane I/B (27767) - is alighting only so doesn't require a shelter or Real time.

The unused stop on Merrion Way will be removed.

Metro have also said that the location of the night bus stops will be reviewed and moved closer to the arena should there be sufficient demand.

Construction

Large construction sites around the city centre often result in construction workers parking inappropriately, often on grassed areas. To prevent this occurring in Little London, it may be necessary provide some physical protection to these areas. A construction management plan should be conditioned.

Council Commitments:

The Arena T.A recognises that the council must provide the following improvements to the city's facilities:

- Woodhouse Lane car park – requires improvements to pedestrian access to avoid conflict with the level 1 vehicle access. Additionally the access arrangements need to be improved to allow for fast emptying after events.
- Coach layover: Provision needs to be made elsewhere in the city for coaches to lay over in between dropping of and picking up at the Arena.
- It is recognised in the T.A that large events are likely to have more vehicles transporting the equipment than can be accommodated within the service yard, therefore a holding area needs to be designated for additional vehicles. Failure to provide the latter two facilities will result in large vehicles standing in inappropriate locations possibly causing safety and amenity problems.
- A signage scheme for the city centre to direct pedestrians between the arena and key public transport facilities and public car parks.

Conclusion:

The proposed highway improvement works assist in providing convenient and safe access to the site. The proposals are now acceptable subject to the highway proposals being delivered by condition and the council delivering facilities for coach and show truck layover and alterations to Woodhouse Lane car park.

Leeds Bradford International Airport (8.12.09)

There are no specific objections. Conditions regarding lighting recommended.

Natural England (27.11.09)

It is agreed that the site will not support protected species. There are records of bat activity close to the site such that lighting should be positioned to avoid lighting bat roosts. Tree removal should be outside the bird nesting season. New tree planting should utilise native species. The design of new built structures and open spaces should be informed by sustainable building techniques.

Yorkshire Forward (3.12.09)

Yorkshire Forward state that they have made a financial commitment towards the project and therefore support in broad terms the proposals put forward. The project will contribute towards the delivery of RES Objectives 6E(ii) to develop cultural assets; and welcome the intention to seek 10% of the arena's energy needs from on-site renewable and low carbon energy sources which will contribute to RES Objective 5C(ii).

Yorkshire Forward recognise that it would be difficult to achieve BREEAM Excellent and consider that BREEAM Very Good would be acceptable.

The scheme has potential to make a strong contribution towards the architecture of Leeds by providing a key landmark for the city centre. The development of the arena would make an important contribution towards the renaissance of the northern quarter of the city centre.

Yorkshire Water (4.12.09)

The layout indicates that affected sewers will be diverted or abandoned which is acceptable. The submitted Flood Risk Assessment is satisfactory. The Foul Sewerage and Utilities Assessment is satisfactory. Conditions are recommended to protect the local aquatic environment and YW infrastructure.

6.0 Non statutory consultations

CABE (11.1. 10)

CABE support the location and the decision to develop a new music venue on the site. However, they do not think that the basic principles of the layout, in terms of positioning the building on the site and creating a successful public space around it, have yet been successfully resolved.

CABE consider that the design proposal for the square appears to be a vast area of left over space which does not relate well to the buildings around it. They recommend that the two neighbouring development plots should be included in the application. They do not think that changing movement patterns around the site, including pedestrian routes from the Merrion Centre and along Clay Pit Lane, have been fully addressed. CABE comment that whilst the size and volume of the arena could fit well on the site that there is a lack of architectural thinking within the principles set out in the design and access statement for the appearance of the building. They question the whether an outline planning application process is appropriate for the project. They do not support the application.

The Council, as Project Sponsor, has responded to CABE's comments. CABE's reply reiterates their position set out in the consultation response.

Metro (17.11.09)

There is spare capacity on buses and trains at times of events. The public transport splits seem very low. If projections were higher it may justify more services. Bus promotion measures can be successful. Some services could be started at the Headrow rather than bus station after events.

Bus shelters should be provided at two bus stops at a cost of £10,000 each. Live bus information displays should be erected within the development and at 4 existing bus stops. All kerbs should be raised and bus stops built parallel to the kerbside in the area around the arena. Good pedestrian access to bus stops should be provided.

Leeds Civic Trust (30.11.09)

LCT supports the application whilst making the following observations:

- The arena will only work if it can be fully integrated into the operation of the city centre.
- As large numbers will inevitably come by car there must be a seamless transition from roads, to car parks to the arena, including comprehensive direction signage.
- Pedestrian routes must be clear, direct, suitably finished and wide enough and clearly identified.

- Consideration has been given to the way the arena will be serviced, but there are concerns should coach/taxi/drop off and parking extend into residential streets to avoid parking charges.
- The arena development must link to the wider transport strategy.
- Surrounding buildings, particularly the casino, need to be carefully considered as many were not designed as principal frontages.
- Highways around the site, such as Brunswick Terrace and Tower House Street, need to be integrated into the site.
- Clay Pit Lane will need to be calmed and more space given to pedestrians at the junction with Woodhouse Lane.
- The external appearance of the building will be a key issue for the Trust.

West Yorkshire Archaeology Advisory Service (30.11.09)

There are no apparent significant archaeological implications.

Leeds District Police Architectural Liaison Officer (17.12.09)

A condition is recommended to ensure that a security strategy is submitted.

LCC Environmental Protection Team (EPT) (11.3.10)

EPT's comments identify measures which are deemed appropriate both to protect the amenity of nearby occupants, and also to pre-empt the need for local residents to consider any future action under statutory nuisance legislation or licensing review procedures.

Air Quality

The proposed development has the potential to influence the air quality in the locality, both during the construction phase and once the arena is in operation.

During construction there will be an increase in plant and vehicle movements around the site. EPT is satisfied that construction of the arena will not result in significant air quality concerns if the proposed mitigation measures are implemented. Based on the available data it is considered that the increase in vehicle movements related to use of the arena will not lead to a significant reduction in air quality standards within the area.

A number of food preparation areas are to be included within the development. Although the specific details of kitchen extraction systems are not known at this stage this aspect can be controlled through an appropriate planning condition. The siting and termination points of any flues can also be controlled through an appropriate planning condition.

Construction Noise

Noise from construction activities would be in accordance with the relevant British Standard (BS5228). Typical working hours would be 0730-1900 Monday to Friday and 0800-1300 on Saturdays. Certain activities may need to take place beyond these hours through prior arrangement. These matters would be formalised through a Code of Construction Practice.

Entertainment Noise Break-out

Entertainment noise from events has the potential to affect nearby occupants. It is expected that the Licensing regime will ensure that entertainment noise from the venue would not be audible in residential properties at any time.

To meet the criteria it has been agreed that the entertainment noise from activities at the application site will be at least 10dB below the background noise levels at the façade of relevant noise sensitive receptors. In addition, entertainment noise will be 3dB below the background noise levels in octaves between 63 and 125Hz at the façade of relevant noise sensitive receptors.

Patron noise

The majority of people attending events will access and exit the arena via the area to the west of the arena building, which faces onto Clay Pit Lane. This would keep noise from customers away from the Opal 3 flats and sheltered housing complex on Wade Lane/Lovell Park Road. Although this will bring patrons towards the new Sky Plaza flats to the North West of the site EPT understand that the flats have mechanical ventilation to allow their windows to be kept closed, thus helping to attenuate any noise from patrons.

Patrons congregating at the taxi rank will increase the potential for disturbance to Sky Plaza residents if their windows were open. It is expected that the busiest time for taxi vehicle movements would be after events.

Coach parking would be in close proximity to the Opal 3 flats and sheltered housing complex. The noise from vehicle engines, patrons making their way to and from the Arena and the loading/unloading of patrons is likely to disturb nearby noise sensitive occupants especially during the night time period. Coaches associated with the Arena should not park, load or unload patrons in close proximity to residential accommodation.

Building Services Noise

Some plant and machinery will operate 24 hours a day. EPT has agreed that building services noise will have a rating level of at least 5dB below the background noise levels at the relevant noise receptor.

Service Yard Noise

The service yard would be to the East of the arena, close to the Opal 3 flats. Wagons would be unloaded and loaded in this area. There may be between 3 and 25 wagons depending on the event. The latest information indicates that wagons may use the service area predominately during day time hours. The extent of night time operations in the service yard will depend on the requirements of the event taking place.

The service yard would be acoustically covered and enclosed to prevent noise breakout, along with other measures. EPT has agreed with the applicant that service yard noise will have a rating level of at least 5dB below the background noise levels at the relevant noise receptors.

Vehicle Noise within the Arena Site

Surveys have shown the current night time background noise levels at the façade of various floors of Opal 3 to include maximum readings at regular intervals generally in the 65-75dB range. At these levels, it is anticipated that sleep disturbance would already occur if the windows of this block were to be open, but unlikely if kept closed. The location is therefore already one where significant background noise is experienced, as would be expected in such a central location close to significant road networks.

Maximum show vehicle noise level is forecast around 70dB on a regular and potentially frequent basis, dependant of course upon the activity associated with a particular event. Whilst such levels are expected to cause some sleep disturbance should the windows in Opal 3 be open, surveys show this is the present situation without the Arena having been built. It is not believed that the Arena activity will therefore necessarily add to the noise levels through vehicle noise.

There is the potential that residents may connect noise peaks with vehicular activity associated with the Arena and this may result in complaints being received. It is advised that opportunities for further mitigation should be explored to demonstrate that all reasonable and practicable measures have been taken.

It would be expected that the site access road would be subject to the same noise criteria as the other non music sources from within the site.

Vehicle Noise beyond the Arena Site

Wagons and show buses used for events will create a level of noise as they travel out of the site access road and onto Wade Lane/Lovell Park Road. Again, the current background noise levels at Opal 3 would already be likely to cause sleep disturbance should the windows in the flats be open. Maximum noise levels from show vehicles have been forecast to be in the region of 70dB.

Event vehicles may be audible within the sheltered housing complex during the quietest parts of the night. As it is likely that residents would have their windows open at times during the summer months, disturbance to these occupants may be caused in such circumstances. Again however, the background levels in this area are already in the region of those forecast to be the case from show vehicles.

The Council has no recorded complaints from residents of Opal 3 or the sheltered accommodation in relation to current background noise levels.

Conclusion

Discussions with the applicant have resulted in agreed criteria for many issues, including noise from construction, entertainment, building services, and the service yard which EPT believes should be satisfactory in preventing a loss of amenity to local occupants from these aspects.

Noise recordings show that the range of background levels experienced now exceeds that predicted. Whilst it is not believed that the Arena will worsen the noise levels experienced, it is possible that residents will be able to associate sleep disturbance with Arena activity, leading to the potential for complaint where the source of the noise can be identified. In these circumstances, the applicant should be asked to continue efforts to seek further reasonable and practical mitigation to noise levels associated with the Arena.

A variety of conditions are recommended to protect the amenity of occupants during construction and subsequent operation of the arena.

LCC Land Drainage (8.12.09)

The Flood Risk Assessment outlined the issues relating to food risk and land drainage. The proposals to deal with the small risk that surface water flows may lead to flood risk seem satisfactory at this stage. Conditions are recommended to clarify works for dealing with surface water discharges, including the feasibility of infiltration drainage methods, and to ensure that existing peak flows are reduced by a minimum of 30%.

LCC Land Contamination, Sustainable Development (14.12.09)

The submitted report indicates that the site has some low levels of contamination present. These are to be placed under hardstanding. Conditions are recommended to ensure that a brief remediation statement is submitted.

LCC Streetscene Services (23.11.09)

The refuse collection arrangements look acceptable.

LCC Entertainment Licensing (30.11.09)

Entertainment Licensing have no issues with the planning application.

7.0 Public / local response

7.1 Pre application publicity

- 7.1.2 Pre-application presentations were made by the developer's team to Plans Panel on 18th June and 8th October.
- 7.1.3 Pre-application consultation ran from 12th September to 16th October. Following extensive publicity an exhibition was displayed at the Merrion Centre (12-19.9.09), the City Museum (21-29.9.09), the Central Library (28.9-3.10.09), Leeds city station (5-9.10.09), and Little London Community Centre (13-16.10.09). Neighbouring landowners, such as Yorkshire Bank, TCS, Grosvenor Casino, HBOS and Opal, were consulted. Meetings with stakeholders including Leeds Civic Trust, Metro, the Highways Agency, Leeds Youth Council and Leeds Independent Disability Council have also taken place. A dedicated arena website was established to allow continuous engagement and updates.
- 7.1.4 A questionnaire was provided at the exhibitions and on the arena webpage. At the beginning of November 794 questionnaires had been returned. 93% strongly agreed or agreed that Leeds should have an arena. 88% of respondents strongly agreed or agreed that the arena would help improve the regeneration of the northern part of the city centre. 25% of respondents indicated that they would travel to the arena by car and 41% by bus. The majority of additional comments referred to the need for the arena to have a high quality design; concerns regarding the level of car parking and potential congestion; that accessibility for disabled users was important; that it was important that the arena is well served by public transport; that jobs should go to local people; and that sustainability was a key factor in the design.

- 7.1.5 Full details of the consultation are included in the Statement of Community Involvement (SCI) submitted with the application.
- 7.1.6 Following the SCI the applicant is undertaking consultation with each of the following Leeds Equality Hubs: Belief or Faith; Disability; Age; BME and Carers. These are in addition to 5 sessions with the Leeds Independent Disability Council.

7.2 Application publicity

Site notices were erected around the site on 12th November. The application was advertised in the press on 26th November as a Major development, affecting the character of a conservation area and accompanied by an Environmental Statement. Additional publicity is given to the application on the Planning website.

5 representations have been received, three in support of the proposal, 1 objecting and 1 commenting on aspects of the application. Supporting comments suggest:

- that the arena is long overdue
- that the arena would provide a major boost to the economy and enhance the city's international reputation
- that the arena would be an important component of the regeneration strategy for this part of the city centre
- the arena would be a landmark building
- the facility would remove the need to travel to Sheffield or Manchester

Issues raised refer to the:

- impact on the current parking provision used by residents and customers on North Street
- lack of certainty regarding the extent of retail floor space proposed and consequently the impact on the town centre
- lack of clarity regarding the proposed public transport mitigation proposals, having particular regard to the Public Transport and Developer Contributions SPD.
- need for improvements to pedestrian routes through Lovell Park.

The objection received considers that the site is distant from the bus and rail stations and will create traffic congestion as a lot of people will drive to events. The objector suggests that there are several better located sites available and the site should be used as city centre park.

8.0 Policy

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Regional Spatial Strategy (May 2008) (RSS) and the Unitary Development Plan Review 2006 (UDPR). Relevant policies are set out within Appendix 2.

9.0 Main Issues

- 9.1 The principal issues for the outline application are:
- Overview

- Compliance with the Development Plan
- Economic and physical regeneration
- Outline planning process
- The access and parking strategy
- The parameters and site layout
- Noise issues
- Conditions and contributions
- Conclusion

10.0 Appraisal

10.1 Overview

Leeds has held a long-standing ambition to deliver an arena in the city which maximises the social, economic and cultural benefits that such a facility regularly hosting world class entertainment would deliver. This aspiration was verified as part of the pre-application consultation when 93% of respondents strongly agreed or agreed that Leeds should have an arena. The arena is a key project which would accord with the City Council's community strategy "Vision for Leeds 2004 to 2020" by helping Leeds to go up a league as a city, developing Leeds' role as the regional capital, and contributing to the national economy as an internationally competitive city. The ambition of the Leeds Strategic Plan 2008-2011 is to bring the benefits of a prosperous, vibrant and attractive city to all the people of Leeds. The Strategic Plan sets out the city's key priorities. These include:

- to facilitate the delivery of major cultural schemes of international importance
- to facilitate the delivery of major developments in the city centre to enhance the economy and support local employment
- to improve the quality and sustainability of the built and natural environment

The arena is central to delivering these priorities.

10.2 Compliance with the Development Plan

10.2.1 The RSS emphasises the role of Leeds as a major engine of the regional economy (LCR1). The RSS recognises the important role of the city centre as the focus for activity, including leisure and cultural facilities (YH4, E2), and in bringing forward more sustainable patterns of development (YH1). The proposed arena site is within a sustainable city centre location at the heart of Leeds City Region. The arena would entail a major investment in the city developing its role as a regional centre. The arena proposal clearly accords with RSS objectives. Yorkshire Forward, the Regional Development Agency for the RSS area, support the proposal.

10.2.2 The UDPR expands upon the RSS. Strategic policies promote the sustainable location of leisure facilities (SA6, SA8). The position of the arena in close proximity to the Grand Theatre, the City Varieties, the Carriageworks, the Town Hall and other cultural venues, would reinforce the function of the city as a major cultural and visitor centre. At the same time the arena would help to sustain and develop supporting functions such as hotels, restaurants and related businesses within the city. In doing so the arena would support the development of the city centre (SA9). Policy LT4 indicates that major cultural facilities should be located where there is easy access from the regional road and public transport system. The site abuts the A58M and is easily accessible on foot from many city centre car parks. It is also within walking

distance of the city bus and rail stations. The city centre is the most accessible location within the city.

- 10.2.3 The scheme is consistent with the aspiration of Policy LT5 which indicates that the Council will pursue actively opportunities for the development of purpose built facilities for exhibitions, concerts and conferences. The supporting text to this policy indicates that the optimum location for such a facility would be the city centre. However, when the UDP was drafted it was considered that the scope to identify such a site within the city centre was limited due to the size of the site that would be required for the building itself and parking areas. Consequently, the supporting text indicates that the best alternative would be sites in satellite city centre locations and a number were subsequently identified. However, it is evident that through a combination of prudent site assembly and the utilisation of existing parking and travel infrastructure it has been possible to identify a city centre location which the UDP recognised would be the optimum location.
- 10.2.4 Supporting text to LT5 ends with a requirement that any proposals should be assessed in terms of their impact on the vitality and viability of Harrogate Town Centre as a whole. Harrogate Borough Council has been consulted regarding the application. Officers will report the conclusions of the assessment and the outcome of the consultation verbally to Panel. It is noted that Leeds City Council received a letter of collective support for an arena in Leeds city centre from the Chief Executive of Harrogate BC, on behalf of the North Yorkshire sub-region, in August 2008.
- 10.2.5 Policies within the City Centre chapter of the UDPR provide further support for the proposed location of the arena. The site falls entirely within the Clay Pit Lane / Inner Ring Road Prestige Development Area (PDA), one of four areas within the city centre identified for large scale prestige developments (CC31). The related Proposal Area statement identifies leisure as one of the potential acceptable uses.
- 10.2.6 UDPR Inset Map 2 includes a notation referring to short stay car parking on the site. As noted, the Proposal Area statement also indicates that uses could include leisure. Further, the substantive policy CC31 indicates that developments of a prestige nature including leisure, entertainment and cultural facilities are appropriate and the arena, unlike car parking, would clearly fall within this category. Accordingly, when considered in the context of other relevant development plan policies the proposals are not inconsistent with the notation on Inset Map 2.
- 10.2.7 One letter of representation, whilst supporting the location of the arena, questioned the potential extent of retail floorspace within the scheme. Ancillary concessions within the arena are an integral component of the use. Whilst cumulatively they extend over a significant floor area within the building these bars, retail and food outlets would only be open when arena events were on. Conversely, the concourse restaurant would be open at other times, its location fronting the piazza such that it would add vitality to the area on non-event days. The scale of this facility is to be controlled by planning condition. Consequently, the arena would not harm the vitality or viability of the established shopping area. Rather, it is envisaged that by attracting visitors to the city centre, the Prime Shopping Quarter would be supported and enhanced.
- 10.2.8 In December 2009 the Government issued Planning Policy Statement 4 – Planning for Sustainable Economic Growth. Policies within the PPS state that Local Planning Authorities should take a positive and constructive approach towards economic development. The PPS also states that leisure uses should be focused in existing centres to promote the vitality and viability of town centres and to deliver more

sustainable patterns of development. The scheme would be located in the city centre; would be the most sustainable arena in the UK (paragraph 4.8 above), and would bring forward significant investment (paragraph 10.3 below). The arena development would secure sustainable economic growth and accordingly should be treated favourably (EC10).

10.2.9 Policy EC14.6 of PPS4 identifies circumstances in which impact assessments are required for applications in centres which are not in accordance with the development plan. For the reasons set out above the scheme accords with the development plan and no assessment is required pursuant to this policy.

10.2.10 It is clear that the scheme, involving redevelopment of a largely vacant and inefficiently used area of brownfield land at a key gateway into the city centre is in accordance with the Development Plan as a whole. Members will recall that they endorsed the proposed location of the arena in principle at Panel on 4th February.

10.3 Economic and physical regeneration

10.3.1 The project aim is to deliver an annual economic impact into the Leeds economy of £25.5m per annum (net cumulative GVA of £376m by 2030).

10.3.2 The Sustainability Statement refers to the wider economic benefits of the arena being the ability to attract and retain residents; an improved quality of life; the stimulation of further development and regeneration; attracting business to the city; and an improvement to the city's profile.

10.3.3 Recent estimates predict the creation of 453 full time equivalent jobs directly attributable to the arena. The maximum number of construction jobs (364) would peak in 2011/12. The development will provide work experience, training and employment opportunities for local people, some of the most disadvantaged people in the city.

10.3.4 The area has not experienced the same extent of investment as areas towards the south of the city centre during the past decade. The site is therefore located in a critical location in terms of the potential to economically stimulate this part of the city centre and thereby help to rebalance investment within the city. As an example, since submission of the application, at least three pre-application enquiries for major development associated with the arena have been received relating to premises close to the site. The Eastgate and Harewood Quarter development would act as a significant anchor to the south east and it is likely that investment in intervening areas, such as the Merrion Centre, would be stimulated in the short to medium term. Therefore, the arena would act as catalyst for regeneration of the northern quarter of the city centre and for the creation of additional jobs.

10.3.5 The prominent gateway location of the arena would, through the quality of the building and the public realm, signal in a prestigious way entry into the city centre. At the same time the physical improvements to the site and the surroundings will ensure that links with neighbouring communities, such as those within Little London, are enhanced.

10.4 The outline planning process

10.4.1 The application was submitted in outline form to provide necessary flexibility in the design process whilst retaining project momentum. The application was accompanied by necessary information on use, amount of development, indicative

layout, scale parameters and indicative access points. The application was also supported by a Design and Access statement which included an explanation and justification of the design and access principles that will be used to develop future details of the scheme. The statement is a link between the outline permission and the development of reserved matters details. In June 2009 Plans Panel noted that a two-stage planning application process, involving an outline application followed by a reserved matters submission identifying detailed design, would be pursued.

- 10.4.2 Whereas CAGE have questioned the approach it is clear that an outline application is a legitimate procedure to use. The outline details, as reviewed below, are themselves acceptable. The two-stage process allows scope to resolve matters of detailed design. It should also be noted that one of the key objectives of the applicant is to deliver a high quality design which contributes to the life of the city and enhances its physical environment. The design team that have been appointed are well placed to ensure that this objective is met. Further, the Civic Architect as Design Champion, is overseeing and influencing the design process. The intended development programme is such that discussion regarding Reserved Matters detail is likely to be commenced in the near future. Members endorsed the approach at Panel in February 2010.

10.5 The access and parking strategy

- 10.5.1 The application seeks detailed approval of the access strategy, including vehicular and pedestrian movement. Although general concerns have been expressed in letters to the Press very few comments have been received in response to the planning application. Notwithstanding, officers from a wide range of "highway" disciplines have engaged in extensive discussion with the applicants to ensure that access proposals are both comprehensive and acceptable. Both Highway Development Control and the Highway Agency have concluded that the proposals are acceptable.

The assumptions made on usage of the arena is that there will be 142 events per year. Most events will not fill the arena and the Transport Assessment has examined three scenarios, a worst case event where 90% capacity is reached, a typical event of 50% and a matinee of 45% capacity on a Saturday afternoon. The comments on car park capacity and network capacity are mostly based on the 90% event where it might be expected that transport infrastructure would be near to capacity. However, this scenario would occur only a few times each year.

10.5.2 Coach Parking

There is limited evidence on coach parking requirements. Utilising the operator's experience elsewhere between 5 and, occasionally, up to 30 coaches could be expected. The Access Plan suggests that 15 spaces could be provided on Wade Lane. The spaces could either be permanently reserved for coaches or remain as Pay and Display parking during the day. Coaches could potentially wait in these spaces for the duration of an arena event rather than having to move to a lay over area as they are away from sensitive locations.

If a greater number of coaches need to be accommodated, drop off / pick up could occur further north on Lovell Park Road away from residential properties. Pedestrian signage to the arena via the pedestrian link to Clay Pit Lane and Elmwood Lane would be beneficial to both coach occupants and general pedestrian movement from the area.

A suitable coach lay-over area needs to be identified in reasonable proximity to the site. Members previously commented that the use of Woodhouse Moor would not be supported. It is suggested that a site in Cross Green, such as the wholesale market site, would be a more suitable location to investigate. A layover area also needs to be provided to accommodate vehicles waiting to transport equipment to or from the service yard in order to prevent large vehicles standing in inappropriate locations possibly causing safety and amenity problems. A planning condition is proposed requiring the identification of such a facility before opening of the arena.

10.5.3 Taxis

A new 24 hour taxi rank will be provided on the access road which will have capacity for around 30 taxis to queue at any one time. Around half the taxis in Leeds have the ability to take wheelchairs. The detailed design of the rank will accommodate provision for wheelchair users to gain access to vehicles. The precise details will be controlled by condition and be the subject of consultation with access and taxi groups.

10.5.4 Private Hire / Public drop off and pick up

There will be a demand from both private hire and the public to pick up and drop off people near to the arena. These activities have the potential to compete for space with taxis, coaches and blue badge holders. There is no practical way of controlling this activity, however, there are opportunities on Merrion Way, Clay Pit Lane and Wade Lane and further afield where drivers will be able to safely stop briefly to drop off and pick up passengers.

10.5.5 Car Parking

As noted elsewhere, the city centre location of the arena allows the more efficient use of existing parking facilities rather than the provision of new car parks. The Transport Assessment examines the available car parking in the city at the time of events. The multi-storey car parks are generally almost empty during the evening, with the exception of St Johns Centre which tends to be one third full, probably related to Grand Theatre audiences. On street spaces have not been considered as they tend to fill quickly in the early evening.

Within the core of the city centre there are 7,607 car parking spaces within multi storey and surface car parks with over 6000 being available on weekdays by 6pm and 3,700 on Saturday afternoons for matinee events. It is expected that the 'worst case' events that occur in an evening would have a demand of around 3,790 spaces, and 2,190 spaces for a typical event, whilst Saturday matinees are expected to have a demand for 2,140 spaces. Therefore, there is sufficient car parking available in city centre car parks for all types of arena events.

For the worst case evening events some cars would need to park in more remote city centre car parks. For a typical event, the car parking demand is predominantly delivered by the Woodhouse Lane and Merrion Centre car parks alone. Only a few cars would have to park in other car parks. Again, for Saturday matinees, a few cars would need to park in more remote city centre car parks.

Clearly, some people may choose to park elsewhere in the city and the car parking will to an extent be self regulating. However, in order to manage the car parking demand, a combination of the car park message signage and new 'free text' signage

will be used. The 'free text' signage can provide more specific information, giving advance warning of events and to describe driving conditions as they change.

The Transport Assessment identifies the need to alter the operation of Woodhouse Lane car park to enable free flow in and out. A separate Council project is examining this, as well as improving pedestrian access to the car park. Detailed consideration has not been given to how other car parks will operate with the arena traffic. However, barrier capacity to allow vehicles to enter without queuing on the highway would be expected to be adequate.

10.5.6 Car parking in residential areas

In February Members indicated residential areas surrounding the arena will need to be protected from overspill car parking. Resident parking schemes that currently exist will be reviewed and coverage extended where necessary prior to the commencement of the development. The planning condition proposed to ensure this action is undertaken includes the requirement to monitor and review the success of the approach after the arena has opened to ensure that adjustments are made where necessary.

10.5.7 Disabled persons' parking provision

BS8300 'Design of buildings and their approaches to meet the needs of disabled people' suggests that 6% of the car parking provision should be designated disabled spaces and a further 4% should be enlarged spaces capable of being used by the disabled. Whilst the arena is not providing new general car parking, the UDPR maximum car parking standard for the arena would equate to 900 spaces. This would imply that 54 designated disabled spaces should be provided and 36 enlarged spaces.

It is proposed that by amending existing on-street controls, providing space on the access road and including the current Merrion car park that the nearest designated disabled parking bay availability will be as follows:

Location	Spaces
Brunswick Terrace/Tower House St	15
Merrion Way	9
Access Road	10
Queen Square	12
Merrion Car park (difficult for wheelchairs)	12
Total	57

Additional disabled persons' parking spaces are available within other multi-storey car parks around the site, including 17 in the Rosebowl, 4 in Woodhouse Lane, in The Light, 8 in The Core, 6 in West Riding House, and 40 on street in various locations within 400 metres of the site. The provision of disabled persons' parking spaces is commensurate with the guidance.

Two bays are identified on the arena access road close to the turning head which could be designed to accommodate charity minibuses for disabled people. Minibuses carrying blue badges could also use any of the facilities provided for disabled people on the access road or elsewhere. Tower House Street is also available to drop off and pick up, within 100m of the arena entrance, if minibuses

wished to use this facility before parking up. Alternatively, the minibuses could use the coach facilities on Wade Lane.

10.5.8 Transport Assessment

Information from other arenas suggests that a high proportion of people will travel to events by car. The transport infrastructure needs to be able to deal with high attendance events, even if they are rare. The assumed mode shares seem robust, but not unrealistically so. If the high car borne trip rate is accepted, other modes will consequently be a low proportion of trips. However, this still represents a significant number of journeys, which should increase with sustainable travel planning.

Traffic modelling work confirms that some localised congestion would occur for the worst case events and Saturday matinees and that some adjustment of signal timings will be necessary to develop a traffic signal plan to avoid queuing on the network. Further model analysis has demonstrated that such changes to signal timing are feasible.

10.5.9 Sustainable Transport Assessment

The application is supported by a Travel Plan which has been agreed by the Highway Authority and the Council's Travel Planning Coordinator. A condition requires implementation of the Travel Plan, further details of which are included at 4.7.8 above. A commitment to pay a fee to monitor the success of the Travel Plan has also been made.

10.5.10 Pedestrians:

The main pedestrian approaches to the site are likely to be from the city centre and public transport hubs via Cookridge Street and New Briggate / Merrion Street; from Woodhouse Lane car park; and from the university / residential areas. Much of the pedestrian movement for arena events will focus on Merrion Way and Brunswick Terrace. Outside event times the piazza and new pedestrian footway will improve pedestrian connections across the site.

To aid pedestrian movement from Woodhouse Lane a new wide crossing will be provided across Clay Pit Lane on the site frontage. The form of this crossing will be established at detailed design stage. The footway in front of the Coburg will be widened and an alternative route provided via a new footpath from the car park to Queen Square Court, which will then lead via Providence Place to emerge near the new crossing on Clay Pit Lane. The mouth of the Providence Place junction will have a plateau to improve pedestrian priority at this location. To help spread the pedestrian load, both routes will be signed.

Merrion Way is likely to have a large pedestrian movement both along and crossing it. The footway in front of Merrion House will be improved and a plateau will be introduced at the Brunswick Terrace junction to assist in providing pedestrian priority. The area of Brunswick Terrace between the two vehicular access points to the casino and Tower House car park and service yard will be pedestrianised to create space around the arena.

A signage scheme will be provided to aid pedestrian movement to key locations including public transport facilities and car parks. The arena will be incorporated on the City Map. A Venue Management Strategy will also be provided to assist with the management of pedestrian movements outside the arena.

The scheme does not include proposals for improvements through Lovell Park. Traffic regulation orders in the area would be likely to reduce the likelihood of significant numbers of arena patrons using routes through the park. However, a feasibility study for improvements to the park is already underway. Funding of the works will be discussed with Ward Members.

10.5.11 Cycle Access:

The Alwoodley to City Centre strategic cycle route surrounds the site. Continuous inbound and outbound cycle lanes are proposed on Clay Pit Lane which will assist in linking to this route and create a continuous commuter cycle route to the arena and into the city centre from the north. Facilities for cyclists such as showers, lockers and stands will also be provided within and around the arena.

10.5.12 Public Transport:

A sum of £123,156 towards public transport improvements has been calculated and agreed in accordance with methodology in the associated Supplementary Planning Document. Several bus stops in the area will also be improved, including new real time displays. The measures reflect Metro's requests. At the same time Metro have indicated that the location of the night bus stops will be reviewed and moved closer to the arena should there be sufficient demand.

10.5.13 Access and Parking Strategy conclusion

The arena will operate at times when there is capacity in city centre car parks. The proposed highway works and sustainable travel measures assist in providing convenient and safe access to the site without an undue impact upon the existing highway network. The proposals are in accordance with national and local policy guidance encouraging development in sustainable locations and are acceptable.

10.6 The site layout and parameters

- 10.6.1 The location of the building responds to the change in levels across the site and to the position of the servicing facilities. Key axes of the building relate to the alignment of existing development on the southern periphery of the site. The arrangement enables the area of public realm on the west side of the building to maximise benefits from natural light and ventilation. The layout relates well to primary pedestrian routes to the arena. The piazza and new footpath create and improve pedestrian routes. Recently submitted drawings illustrate the development of more advanced landscape zoning, the final detail of which will be identified at Reserved Matters stage. However, it has been confirmed that the site frontage onto Clay Pit Lane will also be improved as part of the scheme thereby enhancing the setting of the building and a key gateway into the city. The extent and general arrangement of the public realm is acceptable.
- 10.6.2 The application site boundary intentionally excludes two areas adjacent to Clay Pit Lane (see 4.2.3 above). These plots will be the subject of separate applications in the future. Their scale, design and use will be informed by the arena which by that stage will have been the subject of detailed design. In the interim these areas will benefit from high quality landscaping.
- 10.6.3 The potential parameters of the building are identified. The Visual Impact Assessment illustrates how the potential maximum scale of the building would be subsumed into the cityscape, particularly in medium to distant views. Closer up, the

scale of the building is clearly more apparent although the magnitude of impact varies depending upon the viewpoint and sensitivity of the viewer.

- 10.6.4 Since February Panel the parameters of the building have been refined along the southern and eastern fringes. The reduction in these maximum parameters now enables a suitable relationship with Brunswick Terrace and Jacob Street to be ensured.
- 10.6.5 Nearby buildings are primarily in commercial use and the juxtaposition is such that occupiers would not be adversely affected by the scale of the building. To the east of the arena Opal 3 is used as student accommodation with a vacant bar at ground floor. The outlook from westward facing windows within this building would be affected. However, Opal 3 would be separated from the higher parts of the main auditorium by lower ancillary parts of the building, space to Jacob Street and Jacob Street itself, a minimum combined distance of 20 metres. The form of the arena is such that distances between the higher elements of the building and Opal increases rapidly elsewhere.
- 10.6.6 The arena service yard would be situated a minimum of 6 metres from the northern elevation of Opal 3. Due to the height of the service yard (between 8.5 and 11.5 metres), the commercial use of the lower level of Opal 3, and as the northern end elevation of Opal 3 does not contain windows to personal living space the relationship is acceptable. In conclusion, the scale of the building, both in terms of footprint and height identified by the parameters, is acceptable.

10.7 Noise issues

- 10.7.1 The closest residential properties to the arena and therefore those with the greatest potential to be affected by the arena activities are the Opal 3 student tower (itself situated over a vacant bar) and the Harrison and Potter almshouses situated across the Inner Ring Road to the east. The potential for noise disturbance from a number of sources within the arena building has been considered (see paragraph 4.9 above). Criteria have been identified and agreed for arena entertainment and building services noise which should be satisfactory in preventing a loss of amenity to residents of nearby properties. Additionally, the service yard will be acoustically enclosed and covered to prevent noise breakout.
- 10.7.2 Event vehicles will create some noise as they travel along the service road and onto the public highway. Detailed surveys have been undertaken which confirm that the area is already active 24 hours a day. The noise is generated by vehicular activity on the Inner Ring Road and Wade Lane, both key routes into and through the city centre, and by pedestrian activity some of which is associated with the local student population. At the existing recorded levels it is anticipated that sleep disturbance would already occur if residents in Opal 3 or the almshouses windows were open.
- 10.7.3 It is predicted that the noise level from event vehicles will be in a similar range to the existing background noise levels, even at early hours of the morning. Although the source of the noise may be more easily identifiable than existing background noise, it is not considered that the arena activity will add to existing noise levels through vehicle noise. Any impact will be reduced by the use of "just in time" communication to ensure that vehicles do not wait outside the service yard. Further, vehicle routes, avoiding residential areas will be agreed as part of a management plan.
- 10.7.4 The location of the taxi rank and coach parking areas has been agreed following detailed consideration of accessibility, highway safety and amenity issues. The taxi

rank is situated on the service road to provide good accessibility to the arena entrance, particularly for people with disabilities, and to meet the requirements of the trade. The location also minimises potential traffic and pedestrian safety issues which were identified if Clay Pit Lane or Merrion Way had been used. Coach parking is identified on Wade Lane to the south of the Inner Ring Road in an area which is predominantly occupied by commercial properties and, as such, is likely to benefit from passing trade. Consequently, the locations represent the best overall conclusion having balanced various planning issues.

- 10.7.5 Most events will finish between 2200-2300 hours when there is still significant activity, and noise, within the city centre. Notwithstanding, the operator will provide an Event Management Plan that will set out procedures to ensure the quiet and rapid dispersal of patrons and management of taxi queues as they have for all their other city centre venues. On limited occasions when coach parking demand exceeds the identified provision opportunities exist to identify additional parking space further north along Lovell Park Road away from sensitive residential properties.
- 10.7.6 In conclusion, it is considered that due to existing background noise levels and agreed mitigation measures noise generated by the arena activity would not have an unacceptable impact upon amenities of residents within this city centre location.

10.8 Conditions and contributions

- 10.8.1 The proposed conditions are set out in Appendix 1. The conditions include mitigation measures identified by the Environmental Statement. The conditions also include the measures that the Council, as applicant, will deliver as part of the arena scheme. These include conditions 32 (Travel Plan monitoring) and 35 (Public Transport Improvements) which would normally be the subject of a Section 106 agreement to be entered into prior to the grant of planning permission. Where financial contributions are required from developers these should not normally be required by condition but should be dealt with by planning obligations. In this case, however, requiring planning obligations is not appropriate as the Council cannot in its capacity as landowner enter into a planning obligation by deed with itself in its capacity as planning authority. Accordingly, in the current situation where the Council is not requiring a third party developer to make a contribution, the use of negative or Grampian conditions is considered appropriate to secure the measures necessary to make the development acceptable.

10.9 Conclusion

- 10.9.1 The proposed arena is situated within a city centre location within the heart of Leeds City Region. The Development Plan supports the provision of large scale, prestige leisure facilities within Leeds city centre and particularly in locations such as this. It is clear that the scheme is in accordance with the Development Plan as a whole together with other material planning guidance.
- 10.9.2 The arena would be located within a central location supported by a comprehensive and sustainable highway strategy such that the impacts on existing users would not be unacceptable.
- 10.9.3 The development would deliver significant economic and social benefits in terms of investment, jobs and visitor spending to the city. At the same time the location of the arena will act as a catalyst for regeneration of the northern quarter of the city centre. Many of the benefits should assist some of the most disadvantaged people and communities within the city surrounding the site.

10.9.4 The arena would entail an efficient use of land brownfield land which currently detracts from the wider area. The development would bring forward a high quality building and area of public realm at a key gateway into the city centre and improve the permeability of the site.

10.9.5 The arena is a key project which would accord with the City Council's community strategy "Vision for Leeds 2004 to 2020". The scheme would also be central in the delivery of key priorities set out within the Leeds Strategic Plan 2008-2011.

10.9.6 The proposal is acceptable and is therefore recommended for approval.

11.0 Recommendation

11.1 Members are asked to approve the application subject to the conditions and reasons set out in Appendix 1.

Background papers:

Application file 09/04815/OT

Certificate of ownership:

Signed by the agent on behalf of Leeds City Council

APPENDIX 1 - CONDITIONS AND REASONS FOR GRANTING PLANNING PERMISSION

1 Approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority, in writing before the development is commenced.

Layout
Scale
Appearance
Landscaping

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 only outline details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority.

2 Application for approval of all reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be agreed.

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.

3 The Reserved Matters details submitted pursuant to this permission shall be in accordance with the Environmental Statement (November 2009), and reflect the principles identified within the Design and Access Statement (November 2009).

In order to define the permission as the development is the subject of an Environmental Impact Assessment and any deviation may have an impact which has not been assessed by that process and in order to secure satisfactory development in accordance with the agreed principles and objectives.

4 The arena shall have a maximum capacity of 13,500 persons.

In the interests of traffic convenience and pedestrian safety and in accordance with the submitted Transport Assessment.

5 The concourse restaurant shall have a maximum floor area of 300 square metres.

In accordance with the application details and so as not to prejudice the vitality and viability of the Prime Shopping Quarter.

6 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule unless provided for in any subsequent conditions attached to this permission.

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

Design and materials

7 No building operations shall be commenced until a scheme of external lighting for the building and public realm has been submitted to and approved in writing by the Local Planning Authority. Any external lighting should be designed so as not to cause a distraction to pilots, users of nearby highways and in such a way that the source of light is not directly visible from nearby residential properties. The lighting shall be provided in accordance with the approved scheme prior to first use of the arena.

In the interests of visual and residential amenity and highway and aviation safety.

8 No building operations shall be commenced until details and samples of all external finishes, including glazing and surfacing materials, have been submitted to and approved in writing by the Local Planning Authority. Such materials shall 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. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order, with or without modification, no structures, extensions, satellite antenna, cleaning cradles or plant of any sort (including structures or plant in connection with any use of telecommunications systems), are to be erected externally on any roof or walls of the buildings without the prior written consent of the Local Planning Authority.

In order to safeguard the visual amenity of the area.

Contamination

10 Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and:

(a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority,

(b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site 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.

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 in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

11 If remediation is unable to proceed in accordance with the approved Remediation Statement, 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 site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works 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 in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

12 Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information 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 in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

Wind

13 The Reserved Matters submission shall include a wind tunnel assessment, including details of mitigation measures where necessary. The development shall be carried out in accordance with the approved details.

In order to supplement findings of the Wind Microclimate Desk Study produced with regard to outline parameters for the scheme and in accordance with Policy GP5 of the Leeds Unitary Development Plan Review

Construction

14 a) All existing trees, shrubs, hedges and other natural features shown on the approved plans to be retained shall be fully safeguarded during the course of the site works and building operations in accordance with the provisions of British Standard 5837:2005 (Trees in relation to Construction), or with the particulars specified in the approved plans and specifications.

b) No development shall commence until all trees, shrubs or features to be protected have been protected in accordance with the approved details, or in the absence of such details, in accordance with BS 5837:2005, and the Local Planning Authority has been notified and has approved the protection measures in writing.

c) The protective measures shall be maintained during the course of the site works, and no equipment, machinery or materials shall be stored or fires burnt within any area protected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made including the provision of any underground services, without the prior written consent of the Local Planning Authority.

d) The protective measures shall be retained in position until all equipment, machinery or materials have been removed from the site and the site has been occupied, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the protection and preservation of trees, shrubs, hedges and other natural features during construction works.

15 In this condition 'retained tree' means an existing tree which is to be retained as shown on the approved plans and particulars. This condition shall have effect until the expiration of five years from the date the development is occupied/brought into use.

- a) No retained tree shall be removed, uprooted or destroyed nor shall any retained tree be pruned, topped or lopped or suffer root severance other than

in accordance with the approved plans and particulars without the written approval of the Local Planning Authority. Any pruning, topping or lopping approved shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Works) and in accordance with the actions recommended in any tree survey approved by this permission or agreed in writing by the Local Planning Authority.

- b) If any retained tree is removed without the prior written consent of the Local Planning Authority, uprooted or destroyed or dies the Local Planning Authority shall be notified. Another tree/hedge/bush shall be planted at the same place and that tree/hedge/bush shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

To ensure the continuity of amenity afforded by existing trees and vegetation and to protect existing trees from damage during site preparation and construction works in the interest of general amenity.

16 Any tree removal should take place outside the bird breeding season or after being checked by a suitably qualified ecologist for signs of bird breeding activity.

In order to protect wild birds during the breeding season.

17 No building operation, including delivery of building materials, shall take place before 0730 hours on weekdays and 0800 hours on Saturdays or after 1900 hours on weekdays and 1300 hours on Saturdays, with no operation on Sundays or Bank Holidays unless agreed in advance by the Local Planning Authority.

In the interests of amenity.

18 No development shall take place until the details of measures to minimise the impacts of construction have been submitted and approved in writing by the Local Planning Authority. The measures shall form a Code of Construction Practice and shall include details of construction traffic management, including vehicular routes, contractor's parking and wheel washing facilities; details of the location of storage of plant, materials and contractors cabins; measures to control dust within the site and on roads and haul routes; temporary boundary treatment; and a waste strategy during construction. Activities must be carried out in accordance with the requirements of any agreed Code of Construction Practice, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

19 Prior to first use of the arena that part of the site shown to be used by vehicles, on the approved plans, shall be laid out, drained, surfaced and sealed, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved.

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

Operation

20 Prior to first use of the arena a detailed Venue Management Strategy for the use and operation of the arena shall be submitted to and approved in writing by the Local Planning Authority. The Venue Management Strategy shall include details of the management of pedestrian movements outside the arena before and following events. The

operation of the arena shall be in strict accordance with the details approved under this condition unless otherwise agreed in writing by the Local Planning Authority.

To ensure the safe operation of the arena and in the interests of amenity.

21 Prior to first use of the arena a Security and Counter Terrorism Strategy shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be implemented in accordance with an agreed programme and thereafter maintained.

In the interests of safety and security.

22 Prior to first use of the arena, 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. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented prior to commencement of arena events and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling.

23 The hours of delivery to and from the concourse restaurant and ancillary bar and retail facilities, together with loading and unloading within those uses shall be restricted to 0800 hours to 2230 hours Monday to Saturday with no such operations taking place on Sundays and Bank Holidays.

In the interests of amenity.

Highways and access

24 The on and off-site highway works and measures identified on Jacobs Access drawing B05850AX/T&D/001 P12 shall be completed prior to the first opening of the arena to the public and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

In the interests of accessibility and management of the highway.

25 Prior to the first use of the arena, a pedestrian signage strategy shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall identify additional signage required to direct arena visitors from key public transport facilities, coach and taxi ranks, and public car parks, including Leeds Railway Station, Leeds Bus and Coach Stations, and the Woodhouse Lane multi-storey car park. The signage scheme shall be implemented before the first opening of the arena to the public.

To aid pedestrian connectivity to the City Centre and encourage the use of sustainable travel methods.

26 Prior to the commencement of the development a scheme for the static signage, variable message signage and electronic 'free text' signage to direct and inform vehicles regarding arena events, preferred routes and parking availability should be submitted and approved in writing by the Local Planning Authority. The scheme thereby approved shall be implemented before the first opening of the arena to the public.

In the interests of accessibility and management of the highway.

27 Prior to the commencement of the development a scheme for the amendment of traffic regulation orders necessary to protect residential areas from overspill parking from the arena shall be submitted and approved in writing by the Local Planning Authority. The measures shall be implemented before the first opening of the arena to the public. The adequacy of the measures should be monitored over a 24 month period following the first opening of the arena to the public. Results of the monitoring should be submitted to the Local Planning Authority at 6 monthly intervals within 1 month of their completion. Should the Local Planning Authority consider that additional or revised orders are necessary measures should be taken to secure these as soon as is reasonably practical.

In the interests of residential amenity and highway safety.

28 Prior to the commencement of the development a traffic signal plan to accommodate the traffic movements at the beginning and end of events across the highway network shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented before the first opening of the arena to the public.

In the interests of highway management.

29 Prior to the commencement of the development a scheme for the management of vehicles into and out of Woodhouse Lane multi-storey car park during arena events shall be submitted to and approved in writing by the Local Planning Authority. The measures thereby agreed shall be implemented before the first opening of the arena to the public.

In the interests of highway management.

30 Prior to the commencement of the development details of cycle parking, showers and lockers for staff and cycle parking for arena visitors shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall include a minimum of 14 covered cycle lockers for staff and a minimum of 40 covered cycle stands for visitors. The facilities thereby approved shall be provided before first opening of the arena to the public and thereafter maintained.

In the interests of sustainable travel.

31 Prior to the commencement of development the Arup Travel Plan dated 25th February 2010 (Version E) shall be implemented.

In the interests of sustainable travel and reducing the traffic impact of the development on the road network.

32 Prior to the commencement of development a scheme identifying proposals for the independent monitoring of the success of the Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be delivered in accordance with the details thereby agreed prior to first use of the arena.

In the interests of sustainable travel and to accord with the draft Travel Plan SPD.

33 Prior to first use of the arena details of an off-site location for the layover of coaches and for the holding of heavy goods vehicles shall be submitted to and approved in writing by the Local Planning Authority. The facility shall be available for use by coaches and HGV's at all times unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway management and residential amenity.

34 Prior to first use of the arena the following improvements shall be made to public transport infrastructure:

Wade Lane inbound (11139) – bus shelter and Real time screen.

Wade Lane outbound (10917) - Real time installed in existing bus shelter with DDA kerb.

Woodhouse Lane outbound (10915) - Real time installed in existing bus shelter.

Woodhouse Lane outbound (10913) - Real time installed in existing bus shelter.

Clay Pit Lane inbound (27767) – Relocated DDA compliant bus stop.

The provision of a live bus information screen within the arena building.

In the interests of sustainable travel.

35 Prior to the commencement of development a scheme for improvements to public transport infrastructure in accordance with the Public Transport Improvements and Developer Contributions SPD shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be delivered in accordance with the details thereby agreed prior to first use of the arena.

To ensure provision of public transport infrastructure in the interests of sustainable travel and in accordance with the Public Transport Improvements and Developer Contributions SPD.

36 No event exceeding 3750 attendees shall take place on weekdays during the hours of 0900-1800 unless a traffic management plan for the event has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the details thereby approved.

Due to the weekday capacity of existing car parks and in the interests of traffic management.

37 Public access to the access road for vehicles and adjacent route adjacent to the Inner Ring Road for pedestrians shall be maintained 24 hours a day, 365 days a year unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian connectivity and accessibility.

Landscaping / nature conservation

38 The Reserved Matters submission shall include full details of both hard and soft landscape works. These details shall include (a) proposed finished levels around the site; (b) means of enclosure including walls and fences, (c) disabled persons car parking layouts; (d) other vehicle and pedestrian access and circulation areas including the proposed pedestrian crossing across Clay Pit Lane adjacent to the site; (e) hard surfacing areas, including the piazza, footways, steps and ramps; (f) minor artifacts and structures (eg bicycle storage facilities, street furniture including seating and planters, tree grille details, refuse bins or other storage units, directional signs, lighting etc.).

Soft landscape works shall include plan and cross-sectional details at 1:10 of (g) planting plans; (h) written specifications (including cultivation and other operations associated with plant and grass establishment); (i) specification and compaction of “urban treesoil”, fertilisers and additives; (j) where green walls/roofs are proposed details of their irrigation and maintenance; (k) means of passive ingress of surface water, air and of irrigation during establishment; (l) details of tree pits under parking spaces; (m) schedules of plants noting species, planting sizes and proposed numbers/densities which shall be no less than 35cm

stem girth; (n) means of anchoring rootballs; (o) details of protection from vehicle impact; (p) existing trees to be retained; and (q) implementation programme.

The landscape details shall include all areas of the site and surroundings which shall form the public realm and immediate pedestrian access to the arena including Brunswick Terrace and the Clay Pit Lane frontage to the site together with proposals for the landscaping of the areas identified within the blue line shown on drawing B05850AY/AR/050.0007 PL3 unless otherwise agreed in writing by the Local Planning Authority.

To ensure the provision of amenity afforded by appropriate landscape design.

39 Hard and soft landscaping works shall be carried out in accordance with the approved details. The hard landscape works shall be completed prior to the occupation of any part of the development. The soft landscape works shall be completed by no later than the end of the planting season following the substantial completion of the development. The landscape works shall be implemented to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

40 If, within a period of five years from the planting of any trees or plants, those trees or plants or any trees or plants planted in replacement for them is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to a variation.

To ensure the maintenance of a healthy landscape scheme.

41 Prior to the commencement of development a biodiversity enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be based on the recommendations in section 3 of the Ecological Baseline Assessment dated 4 August 2009 and the agreed plan shall thereafter be implemented.

To maintain and enhance biodiversity.

42 Prior to the commencement of development a public realm strategy for the maintenance and cleaning of the public realm shall be submitted to and approved in writing by the Local Planning Authority. The public realm shall be accessible at all times to members of the public and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure the provision and future maintenance of the public realm

Noise and environmental health

43 The LAeq of the entertainment noise shall not exceed 10dB below the representative background noise level LA₉₀ (without entertainment noise), and the LAeq of the entertainment noise will be at least 3dB below the background noise level LA₉₀ (without entertainment noise) in octaves between 63 and 125Hz. The noise level shall be determined at the façade of the nearest noise sensitive premises.

In the interests of amenity.

44 The rating level of the noise emitted from non entertainment sources (e.g. plant and machinery, the service yard, and vehicles within the site boundary) shall not exceed 5dB below the existing background noise level (L₉₀). The noise level shall be determined at the nearest noise sensitive premises, with the measurements and assessment made in accordance with BS4142:1997.

In the interests of amenity.

45 Within 3 months of completion of the development a noise survey shall be undertaken to show compliance with the foregoing noise conditions. The survey locations and methodology shall be agreed in writing by the Local Planning Authority in advance of the survey being undertaken and shall be representative of the noise sensitive receptors adjacent to the development. The results of the survey shall be provided to the local planning authority within 4 weeks of the survey being carried out. In the event of failure to demonstrate compliance with any imposed noise conditions, measures necessary to comply with the relevant conditions shall be undertaken and a further noise survey shall subsequently be submitted to the Local Planning Authority to confirm that the noise control requirements are fulfilled.

To ensure compliance with noise conditions in the interests of amenity.

46 There shall be no external loud speakers in use for any purpose other than in emergency situations.

In the interests of amenity.

47 All entrance/exit doors to the arena, which may compromise the acoustic integrity of the premises, shall be kept closed throughout the duration of event performances.

In the interests of amenity.

48 No development shall take place until details of the treatment of emissions to atmosphere, resulting from any processes, plant or activity, including the method of treatment and height, position and manner of discharges, are submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

49 The use shall not be brought into operation until a grease trap has been provided on the drainage outlets from the food preparation areas. The grease trap shall be retained at all times thereafter.

To ensure the removal of grease from waste effluent in the interests of general amenity.

Drainage

50 The site shall be developed with separate systems of drainage for foul and surface water on and off site.

To ensure that a separate system of drainage is provided and to ensure that the site can be properly drained without flooding.

51 No development shall take place until details of the proposed means of disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The surface water disposal proposals shall include a feasibility study into the use of infiltration drainage methods.

In compliance with PPS25 and the Council's sustainable drainage policy and to ensure that the site can be properly drained without flooding.

52 An assessment of the need for petrol/oil interceptors designed to intercept all surface water from areas to be used by vehicles and any other areas potentially to be subject to contamination shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Any required interceptors shall be provided before the development is brought into use and they shall thereafter be maintained.

To prevent pollution of the watercourses and to protect the environment.

53 Surface water from the development shall be subject to balancing of flows to achieve a minimum 30% reduction of the existing peak flow rates from the site.

To ensure compliance with the Council's minimum development control standards for flood risk.

54 Details of on-site storage for additional run-off from storm events up to the 1 in 100 year + climate change shall be submitted to and approved in writing by the Local Planning Authority and installed before first use of the development.

To ensure compliance with PPS25 and with the Council's minimum development control standards for flood risk.

55 There shall be no discharge of surface water from the development prior to the completion of the approved surface water drainage works and no building shall be occupied prior to completion of the approved foul drainage works.

To ensure that the site is properly drained.

Sustainability

56 Prior to commencement of development a revised sustainability statement shall be submitted by the applicant and approved in writing by the Local Planning Authority clearly indicating the details of the measures that will be delivered in the development to deliver the sustainability and sustainable construction aspects of the development. The development shall be carried out in accordance with the approved revised sustainability statement.

In the interest of sustainable development and to accord with the details of the planning application and with Policy GP11 of the Council's Unitary Development Plan Review.

57 At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters submissions required by condition 1. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

In the interest of sustainable development and to accord with the Regional Spatial Strategy Policy ENV 5 and the climate change supplement of PPS1.

58 Prior to the occupation of the development a post-construction review statement shall be submitted by the applicant and approved in writing by the Local Planning Authority.

In the interests of sustainable development and in order to accord with Policy GP11 of the Council's Unitary Development Plan.

59 Prior to the first use of the development details shall be submitted to and approved in writing by the Local Planning Authority of the measures taken to ensure that the quality of a television or other telecommunications services in the immediate area are not adversely affected by the proposals.

In order to safeguard the amenities of nearby occupiers.

Employment and training

60 Prior to the commencement of development an employment and training strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of measures to ensure provision for the training of local people and employment of local people in the construction and operation of the arena. The strategy shall be implemented prior to the commencement of development.

To secure appropriate training and employment opportunities in accordance with Unitary Development Plan Review Policy R5.

Informatives

This permission does not absolve the applicant from the requirements for compliance with a building regulation approval, or the duty of compliance with any requirements of any Statutory Body, Public Utility or Authority, including the City Council's Environmental Protection, Highway Maintenance and Main Drainage Divisions; the West Yorkshire Fire Officer or the Health and Safety Executive.

This permission does not give consent to any advertisement intended to be displayed on the site for which separate express consent may be necessary under the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

This notice of decision does not grant or imply any grant of consent to obstruct any private or public right of way.

Food businesses must be registered with the Local Authority. Please contact Leeds City Council Health and Environmental Action Service, Food and Health Services, Millshaw Park Way, Churwell, Leeds, LS11 0LS. Telephone: 0113 2477789 or email env.health@leeds.gov.uk for details.

The applicant shall continue to explore opportunities for noise mitigation in order to minimise any sleep disturbance from peak noise levels for which the arena is the identified source.

The approval of this planning application should in no way be construed to imply a licence under the provisions of the Licensing Act 2003 will be granted. For further information the applicant should contact Leeds City Council, Entertainment Licensing Section, Civic Hall,

Leeds LS1 1UR (Tel: 0113 247 4095, Fax: 0113 224 3885, email: entertainment.licensing@leeds.gov.uk/licensing).

Leeds Bradford International Airport (0844 4143232) shall be notified of any cranes exceeding 45 metres in height. Cranes working above that height will need to be lit. The completed building is likely to require medium intensity obstruction lights.

The applicant should be aware that in seeking to discharge condition 33 regarding provision of a layover area for coaches and a holding area for heavy goods vehicles the use of Woodhouse Moor is not considered suitable.

In accordance with the submitted supporting statements the arena should aspire to set a new benchmark for the sustainable performance of arenas in the United Kingdom with a BREEAM rating of "very good".

Reasons for granting consent

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application, the Environmental Statement, and Government Guidance and Policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

The Yorkshire and Humber Plan - Regional Spatial Strategy (May 2008)

The Regional Spatial Strategy (RSS) sets out the strategic priorities for the region until 2026. A number of the policies in the RSS are relevant to the proposal emphasising the role of Leeds as a regional centre, the need for a quality environment with encouragement to the reuse of previously developed land, and the role of city and town centres as the focus for activity, including leisure and cultural facilities.

The overall approach of the RSS highlighting the importance of achieving more sustainable patterns and forms of development, investment and activity is set out in Policy YH1.

Policy YH2 refers to climate change and resource use identifying the need to reduce greenhouse gas emissions by 20-25% by 2016 (relative to 1990 levels) by:

- Increasing population, development and activity in cities and towns.
- Encouraging better energy, resource and energy efficient buildings.
- Reducing traffic growth by appropriate location of development.
- Encouraging redevelopment of previously developed land.

The importance attached to the main urban areas is outlined in Policy YH4. This indicates that:

A Regional Cities and Sub Regional Cities and Towns should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region.

B Regional Cities and Sub Regional Cities and Towns will be transformed into attractive, cohesive and safe places where people want to live, work, invest and spend time in. Plans, strategies, investment decisions and programmes should:

Develop a strong sense of place with a high quality public realm and well designed buildings within a clear framework of routes and spaces (2).

Strengthen the identity and roles of city and town centres as accessible and vibrant focal points for high trip generating uses (4).

Section 3 sets out the policies for the Leeds City Region. Policy LCR1 states that proposals in the Leeds City Region should develop the role of Leeds as a regional city by :

- accommodating significant growth in jobs and homes and continuing to improve the city centre's offer of high order shops and services (A2);
- supporting the roles of Leeds and Bradford as major engines of the regional economy (B1);
- connecting disadvantaged communities to job opportunities (B4);
- maximising renewable energy generation and energy efficiency (C6); and
- ensuring strategic patterns of development maximise the opportunities to use non car modes of transport and reduce the overall need to travel (D1).

Policy ENV 5 promotes energy efficient buildings.

In order to create a more successful and competitive regional economy Policy E1 encourages investment in locations where it will have the maximum benefit and secure competitive advantage (B); improve links between job opportunities, skills development, business investment and the needs of excluded communities (C); and deliver the potential of "non-business class" sectors including leisure and tourism (I).

Policy E2 indicates that the centres of Regional Cities should be the focus for leisure, entertainment, arts, culture, and tourism across the region (A). Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre (B).

Proposals should make use of appropriately located previously developed land (E3).

Policy E6 refers to sustainable tourism. Agencies should promote, support and encourage tourism by adopting an overall approach which recognises the sustainable growth of tourism as an integral contributor to the economy (1); promotes investment to provide a high quality experience throughout the year (2); secures investment in local people (3); contributes to the quality of life (4); conserves and enhances the built environment (5) and integrates tourism activity with a viable transport infrastructure that enables a realistic choice of travel mode supported by a management regime that encourages greater use of public transport (6).

The Regional Transport Strategy forms part of the RSS. Policy T1 identifies aims for personal travel reduction and modal shift to modes with lower environmental impacts. This ambition is supported by Policy T2 (parking policy) and Policy T3 (public transport).

Policy T5 states that access to all main tourist destinations should be improved. Access for all groups in society should be enhanced (B1); attractions that generate high levels of visitors should be located to achieve the identified accessibility standards (B2); and tourist destinations should provide incentives for visitors to arrive by modes other than the private car (B3).

Unitary Development Plan (Review 2006)

The Unitary Development Plan (Review 2006) (UDPR) was adopted in July 2006 with the majority of the original UDP policies saved unchanged into the UDPR. The lifespan of many relevant policies within the UDPR was extended by the Secretary of State in September 2007.

Strategic policies

Strategic Aim SA1 encourages the highest possible quality of environment throughout the District, including initiating the renewal and restoration of areas of poor environment.

SA2 encourages development in locations that will reduce the need to travel, promote the use of public transport and other sustainable modes, and reduce journey lengths of trips made by car.

SA4 promotes the economic base of Leeds by identification of a balanced range of sites for development, and identification of areas which will have priority for regeneration initiatives.

SA6 encourages the provision of facilities for leisure activities and to promote tourist visits to Leeds, in ways which secure positive benefits for all sections of the community.

SA7 promotes the physical and economic regeneration of urban land.

SA8 seeks to ensure that all sections of the community have safe and easy access to facilities by maintaining and enhancing provision in appropriate locations.

SA9 promotes the development of a City Centre which supports the aspiration to become one of the principal cities of Europe, maintaining and enhancing the existing distinctive character.

General Policy GP5 identifies the need to resolve detailed planning considerations, to promote energy conservation and the prevention of crime. Proposals should also have regard to any framework for the area.

Environment policies

N12 identifies fundamental priorities for urban design.

N13 indicates that the design of all new buildings should be of a high quality. Good contemporary design will be welcomed.

N23 states that space around new development should be designed to provide a visually attractive setting for the development and, where appropriate, contribute to informal public recreation.

Transport policies

T2 requires new development to be adequately served by highways and not to materially add to problems of safety, environment or efficiency on the highway network; be capable of being adequately served by public transport; to make adequate provision for cycling

T2D identifies the need for developer contributions where public transport accessibility would otherwise be unacceptable.

T5 identifies the need for satisfactory safe and secure access for pedestrians and cyclists.

T6 requires satisfactory provision for people with mobility problems.

T7A refers to secure cycle parking requirements.

T7B refers to motorcycle parking requirements

T24 refers to car parking guidelines.

The Local Economy

Encouragement will be given to the establishment of new economic sectors which strengthen and diversify the economy.

Leisure and Tourism

LT3 states that the creation of a wide range of new attractions and facilities will be supported.

LT4 highlights that the City Council will pursue opportunities for the development of major cultural facilities. Locations need to be easily accessed by the regional road and public transport system.

LT5 states that the City Council will pursue opportunities for the development of purpose built facilities for exhibitions, concerts and conferences.

Regeneration

R2 refers to city centre strategies for housing and the environment which assist the process of urban regeneration.

R5 indicates that opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.

Access for All

A4 requires the design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.

City Centre policies seek to encourage a more vibrant, high quality environment with an improved quantity and quality of leisure and cultural facilities within the city centre

Strategic policy SA9 is expanded to focus on the following objectives:

- Securing a high quality city centre environment;
- Reinforcing the distinctive character of the city centre which sets it apart from other cities;
- Securing a more vibrant city centre, with an improved quantity and quality of leisure facilities in which life and activity continue as much as possible throughout the 24 hour day;
- Strengthening the growth of employment uses particularly in shopping and leisure sectors;
- Promoting the main development opportunities;
- Providing the focus of accessible shopping and leisure facilities; and
- Improving safe and secure access for all to and within the city centre.

These objectives are expanded in the following policies:

CC4 encourages development at gateway sites to reflect the importance of their location through scale and design quality.

CC5 states that all development in conservation areas or its immediate setting must preserve or enhance the character of the area.

CC6 indicates that proposals for high buildings outside conservation areas will be considered on their merits, taking account of the quality of design; effect on the skyline and views across the city; effect on neighbouring buildings; and their effect on micro-climate.

CC10 requires a minimum of 20% of the developable site area of sites over 0.5 hectares to be allocated as public space.

CC12 indicates that new public spaces must integrate with the existing pattern of streets

CC13 requires that spaces should be imaginatively designed and complement their location.

CC26 supports entertainment and cultural facilities.

CC27 identifies principal use quarters, including Prestige Development Areas (PDA).

CC29 requires mixed uses in larger developments in principal use quarters.

CC31 identifies the range of uses, including leisure, entertainment and cultural facilities which are appropriate in PDA's. The strategy for PDA's is to promote sites for large scale

prestige developments; encourage high quality developments and creation of public spaces; to achieve environmental and social benefits; and to ensure satisfactory access. Supporting uses such as small scale retail, food and drink uses and public space will be acceptable.

Clay Pit Lane/Inner Ring Road is identified as one of the four PDA's. Leisure is identified as one of the potential acceptable uses within the Proposal Area statement for Clay Pit Lane. It is stated that public space and pedestrian linkages will be required.

The Proposals Map includes various notations on the arena site : short stay car parking; proposed public space; and proposed pedestrian corridor/public space.

UDPR Appendices

Policies within the appendices typically elaborate policies in the main document. Policies BD2, BD3, BD4, and BD5 identify building design requirements. Policy BD15 encourages public art. LD1 sets out requirements for landscape schemes. Minimum and maximum car parking, motorcycling and cycle parking guidelines are set out in Appendix A9.

Supplementary Planning Guidance, other guidance and emerging policy

Vision for Leeds 2004 to 2020 (March 2004)

The Vision for Leeds 2004 to 2020 is the Council's second community strategy for improving the social, environmental and economic well-being of the city and its many communities.

The key aims are:

Going up a league as a city.

Narrowing the gap between the most disadvantaged people and communities and the rest of the city.

Developing Leeds' role as the regional capital and contributing to the national economy as an internationally competitive city.

SPG 14 Leeds City Centre Urban Design Strategy (September 2000)

The proposed development falls within the North Street / Clay Pit Lane area (Study Area 6) of the design guide. The guide identifies key aspirations for the area.

Public Transport Improvements and Developer Contributions SPD (August 2008)

The SPD identifies the need for, and scale of, developer contributions in order to bring forward required enhancements to strategic public transport infrastructure in accordance with PPG13, and UDPR.

SPG2 Leisure Developments and Other Key Town Centre Uses (October 1997)

The SPG expresses the importance of ensuring appropriate locations for town centre uses. Leisure development capable of enhancing a centre's viability is encouraged. Uses attracting large numbers of people should first be located within the city centre and town centres. The city centre should be the primary location for the development of regional facilities.

Elmwood Road – Brunswick Terrace Planning and Development Brief (2005)

The brief outlines general development principles which should be addressed in any planning application.

National planning guidance

Planning Policy Statement (PPS) 1 : Delivering Sustainable Development (January 2005)

PPS1 places a strong emphasis on the importance of sustainable development and encourages a positive approach to planning and development. The PPS recognises the need to protect and enhance the quality, character and amenity value of urban areas. The PPS places particular emphasis on the importance of high quality inclusive design which is seen as a key element in achieving sustainable development and community involvement which is one of the principles of sustainable development.

The PPS describes in more detail the four elements of sustainable development and states that “the Government is committed to promoting a strong, stable and productive economy that aims to bring jobs and prosperity for all.”

Supplement to PPS1 : Planning and Climate Change (December 2007)

New development should comply with policies for decentralised energy supply and for sustainable buildings; take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, and overall minimise carbon dioxide emissions; deliver a high quality local environment; provide appropriate public and private space; give priority to the use of sustainable drainage systems; provide for sustainable waste management; and create and secure opportunities for sustainable transport.

Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (December 2009)

To achieve sustainable economic growth new development of main town centre uses should be focused in existing centres, with the aim of offering a wide range of services to the communities in an attractive and safe environment and remedying deficiencies and provision in areas with poor access to facilities. The PPS sets out the Government’s policy for town centres and main ‘town centre uses’, which include retail, leisure, offices, arts, tourism and cultural activities.

Policy EC10 states that LPA’s should take a positive and constructive approach towards planning applications for economic development. Applications which secure sustainable economic growth should be treated favourably.

PPG13: Transport (March 2001)

PPG 13 promotes development in areas of good transport accessibility and aims to reduce the need for travel through mixed use development. Travel-intensive uses should be located in town centres or close to major transport interchanges. Local authorities should maximise the use of the most accessible sites such as those in town centres or near transport interchanges and should pro-actively promote intensive development on such sites.

New development should help to create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport (paragraph 28). The PPG emphasises that retail and leisure developments should be focussed in town centres, (paragraph 35).

Planning Policy Statement 22 : Renewable Energy (August 2004)

The PPS highlights the need to consider the opportunity for incorporating renewable energy projects in all new developments. Positive planning which facilitates such development would help to contribute towards all four elements of the Government's sustainable development strategy.

Planning Policy Guidance 24: Planning and Noise (October 1994)

PPG24 guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. The PPG indicates that it will be hard to reconcile some land uses, such as housing, with activities that generate high levels of noise. Wherever practicable noise sensitive developments should be separated from major sources of noise. Noisy activities should, if possible, be sited away from noise-sensitive land uses. Where it is not possible to achieve such a separation of land uses LPA's should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise through the use of planning conditions or obligations (paragraph 2).

There will be circumstances when it is acceptable or even desirable to meet other planning objectives to allow noise generating activities on land near noise sensitive development. In such cases LPA's should use conditions or obligations to safeguard local amenity (paragraph 18).

PPG25: Development and Flood Risk (December 2006)

Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Within Flood Risk Zone 1, the lowest level of flood risk, opportunities to reduce the overall level of flood risk in the area, and the application of appropriate sustainable drainage techniques should be sought.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

- (a) The development is in accordance with the Development Plan as a whole together with other material planning guidance.
- (b) The arena would be located in a sustainable city centre location supported by a sound highway strategy.
- (c) The arena would bring forward significant economic and social benefits in terms of investment, jobs and visitor spending.
- (d) The arena would entail an efficient use of land brownfield land which currently detracts from the wider area. The development would bring forward a high quality building and area of public realm and improve the permeability of the site.
- (e) The arena would act as a catalyst for regeneration of the northern quarter of the city centre at a key gateway into the city centre.
- (f) The arena is a key project which would accord with the City Council's community strategy "Vision for Leeds 2004 to 2020" and would contribute towards the delivery of the Council's Strategic Plan by bringing forward high quality facilities of national and international significance.
- (g) The development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

The above represents a summary of the reasons why the City Council granted planning permission for the development.

APPENDIX 2 - Policy Guidance

1 The Development Plan

1.1 The Development Plan for the purposes of the proposal comprises the Regional Spatial Strategy for Yorkshire and the Humber and the Unitary Development Plan (Review 2006). Section 38(6) of the Planning and Compulsory Purchase Act 2004 states “If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

1.2 The Yorkshire and Humber Plan - Regional Spatial Strategy (May 2008)

1.2.1 The Regional Spatial Strategy (RSS) sets out the strategic priorities for the region until 2026. A number of the policies in the RSS are relevant to the proposal emphasising the role of Leeds as a regional centre, the need for a quality environment with encouragement to the reuse of previously developed land, and the role of city and town centres as the focus for activity, including leisure and cultural facilities.

1.2.2 The overall approach of the RSS is set out in Policy YH1. This refers to a Spatial Vision which highlights the importance of achieving “more sustainable patterns and forms of development, investment and activity”.

1.2.3 Policy YH2 refers to climate change and resource use identifying the need to reduce greenhouse gas emissions by 20-25% by 2016 (relative to 1990 levels) by:

- Increasing population, development and activity in cities and towns.
- Encouraging better energy, resource and energy efficient buildings.
- Reducing traffic growth by appropriate location of development.
- Encouraging redevelopment of previously developed land.

1.2.4 The importance attached to the main urban areas is outlined in Policy YH4. This indicates that:

A Regional Cities and Sub Regional Cities and Towns should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region.

B Regional Cities and Sub Regional Cities and Towns will be transformed into attractive, cohesive and safe places where people want to live, work, invest and spend time in. Plans, strategies, investment decisions and programmes should:

- Develop a strong sense of place with a high quality public realm and well designed buildings within a clear framework of routes and spaces (2).
- Strengthen the identity and roles of city and town centres as accessible and vibrant focal points for high trip generating uses (4).

1.2.5 Section 3 sets out the policies for the Leeds City Region. Policy LCR1 states that proposals in the Leeds City Region should develop the role of Leeds as a regional city by :

- accommodating significant growth in jobs and homes and continuing to improve the city centre's offer of high order shops and services (A2);
- supporting the roles of Leeds and Bradford as major engines of the regional economy (B1);
- connecting disadvantaged communities to job opportunities (B4);
- maximising renewable energy generation and energy efficiency (C6); and
- ensuring strategic patterns of development maximise the opportunities to use non car modes of transport and reduce the overall need to travel (D1).

1.2.6 Policy ENV 5 promotes energy efficient buildings. The region will maximise improvements to energy efficiency and increases in renewable energy capacity by:

- A Reducing greenhouse gas emissions; improving energy efficiency and maximising the efficient use of power sources. Development supported by Yorkshire Forward should meet high energy efficiency standards; and.
- B Promoting greater use of decentralised and renewable or low carbon energy; for developments of more than 1000m² at least 10% of energy should be secured from decentralised and renewable or low-carbon sources unless this is not feasible or viable.

1.2.7 In order to create a more successful and competitive regional economy Policy E1 encourages investment in locations where it will have the maximum benefit and secure competitive advantage (B); improve links between job opportunities, skills development, business investment and the needs of excluded communities (C); and deliver the potential of "non-business class" sectors including leisure and tourism (I).

1.2.8 Policy E2 indicates that the centres of Regional Cities should be the focus for leisure, entertainment, arts, culture, and tourism across the region (A). Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre (B).

1.2.9 Proposals should make use of appropriately located previously developed land (E3).

1.2.10 Policy E6 refers to sustainable tourism. Agencies should promote, support and encourage tourism by adopting an overall approach which recognises the sustainable growth of tourism as an integral contributor to the economy (1); promotes investment to provide a high quality experience throughout the year (2); secures investment in local people (3); contributes to the quality of life (4); conserves and enhances the built environment (5) and integrates tourism activity with a viable transport infrastructure that enables a realistic choice of travel mode supported by a management regime that encourages greater use of public transport (6).

1.2.11 The Regional Transport Strategy forms part of the RSS. It is noted that transport is a major contributor to greenhouse gas emissions and that measures to reduce the number and length of journeys will help to reduce the growth in emissions. Policy T1 identifies aims for personal travel reduction and modal shift to modes with lower environmental impacts. This ambition is supported by Policy T2 (parking policy) and Policy T3 (public transport).

1.2.12 Policy T5 states that access to all main tourist destinations should be improved. Access for all groups in society should be enhanced (B1); attractions that generate high levels of visitors should be located to achieve the identified accessibility

standards (B2); and tourist destinations should provide incentives for visitors to arrive by modes other than the private car (B3).

1.3 Unitary Development Plan (Review 2006)

1.3.1 The Unitary Development Plan (Review 2006) (UDPR) was adopted in July 2006 with the majority of the original UDP policies saved unchanged into the UDPR. The lifespan of many relevant policies within the UDPR was extended by the Secretary of State in September 2007.

1.3.2 Strategic policies

- Strategic Aim SA1 encourages the highest possible quality of environment throughout the District, including initiating the renewal and restoration of areas of poor environment.
- SA2 encourages development in locations that will reduce the need to travel, promote the use of public transport and other sustainable modes, and reduce journey lengths of trips made by car.
- SA4 promotes the economic base of Leeds by identification of a balanced range of sites for development, and identification of areas which will have priority for regeneration initiatives.
- SA6 encourages the provision of facilities for leisure activities and to promote tourist visits to Leeds, in ways which secure positive benefits for all sections of the community.
- SA7 promotes the physical and economic regeneration of urban land.
- SA8 seeks to ensure that all sections of the community have safe and easy access to facilities by maintaining and enhancing provision in appropriate locations.
- SA9 promotes the development of a City Centre which supports the aspiration to become one of the principal cities of Europe, maintaining and enhancing the existing distinctive character.

1.3.3 General Policy GP5 identifies the need to resolve detailed planning considerations, to promote energy conservation and the prevention of crime. Proposals should also have regard to any framework for the area.

1.3.4 Environment policies

- N12 identifies fundamental priorities for urban design.
- N13 indicates that the design of all new buildings should be of a high quality. Good contemporary design will be welcomed.
- N23 states that space around new development should be designed to provide a visually attractive setting for the development and, where appropriate, contribute to informal public recreation.

1.3.5 Transport policies

- T2 requires new development to be adequately served by highways and not to materially add to problems of safety, environment or efficiency on the highway network; be capable of being adequately served by public transport; to make adequate provision for cycling
- T2D identifies the need for developer contributions where public transport accessibility would otherwise be unacceptable.

- T5 identifies the need for satisfactory safe and secure access for pedestrians and cyclists.
- T6 requires satisfactory provision for people with mobility problems.
- T7A refers to secure cycle parking requirements.
- T7B refers to motorcycle parking requirements
- T24 refers to car parking guidelines.

1.3.6 The Local Economy

- Encouragement will be given to the establishment of new economic sectors which strengthen and diversify the economy.

1.3.7 Leisure and Tourism

- LT3 states that the creation of a wide range of new attractions and facilities will be supported.
- LT4 highlights that the City Council will pursue opportunities for the development of major cultural facilities. Locations need to be easily accessed by the regional road and public transport system.
- LT5 states that the City Council will pursue opportunities for the development of purpose built facilities for exhibitions, concerts and conferences. Supporting text indicates that the optimum location for such facilities is the city centre and the scope for the provision of such sites is limited. The best alternatives are therefore satellite city centre locations. Any proposals should be assessed in terms of their impact on the vitality and viability of Harrogate Town Centre.

1.3.8 Regeneration

- R2 refers to city centre strategies for housing and the environment which assist the process of urban regeneration.
- R5 indicates that opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.

1.3.9 Access for All

- A4 requires the design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.

1.3.10 City Centre policies seek to encourage a more vibrant, high quality environment with an improved quantity and quality of leisure and cultural facilities within the city centre

Strategic policy SA9 is expanded to focus on the following objectives:

- Securing a high quality city centre environment;
- Reinforcing the distinctive character of the city centre which sets it apart from other cities;
- Securing a more vibrant city centre, with an improved quantity and quality of leisure facilities in which life and activity continue as much as possible throughout the 24 hour day;
- Strengthening the growth of employment uses particularly in shopping and leisure sectors;
- Promoting the main development opportunities;

- Providing the focus of accessible shopping and leisure facilities; and
- Improving safe and secure access for all to and within the city centre.

These objectives are expanded in the following policies:

- CC4 encourages development at gateway sites to reflect the importance of their location through scale and design quality.
- CC5 states that all development in conservation areas or its immediate setting must preserve or enhance the character of the area.
- CC6 indicates that proposals for high buildings outside conservation areas will be considered on their merits, taking account of the quality of design; effect on the skyline and views across the city; effect on neighbouring buildings; and their effect on micro-climate.
- CC10 requires a minimum of 20% of the developable site area of sites over 0.5 hectares to be allocated as public space.
- CC12 indicates that new public spaces must integrate with the existing pattern of streets
- CC13 requires that spaces should be imaginatively designed and complement their location.
- CC26 supports entertainment and cultural facilities.
- CC27 identifies principal use quarters, including Prestige Development Areas (PDA).
- CC29 requires mixed uses in larger developments in principal use quarters.
- CC31 identifies the range of uses, including leisure, entertainment and cultural facilities which are appropriate in PDA's. The strategy for PDA's is to promote sites for large scale prestige developments; encourage high quality developments and creation of public spaces; to achieve environmental and social benefits; and to ensure satisfactory access. Supporting uses such as small scale retail, food and drink uses and public space will be acceptable.

Clay Pit Lane/Inner Ring Road is identified as one of the four PDA's. Leisure is identified as one of the potential acceptable uses within the Proposal Area statement for Clay Pit Lane. It is stated that public space and pedestrian linkages will be required.

The Proposals Map includes various notations on the arena site : short stay car parking; proposed public space; and proposed pedestrian corridor/public space.

1.3.11 UDPR Appendices

Policies within the appendices typically elaborate policies in the main document. Policies BD2, BD3, BD4, and BD5 identify building design requirements. Policy BD15 encourages public art. LD1 sets out requirements for landscape schemes. Minimum and maximum car parking, motorcycling and cycle parking guidelines are set out in Appendix A9.

1.4 Supplementary Planning Guidance, other guidance and emerging policy

1.4.1 Vision for Leeds 2004 to 2020 (March 2004)

The Vision for Leeds 2004 to 2020 is the Council's second community strategy for improving the social, environmental and economic well-being of the city and its many communities.

1.4.2 The key aims are:

- Going up a league as a city.
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city.
- Developing Leeds' role as the regional capital and contributing to the national economy as an internationally competitive city.

1.4.3 12 major projects are identified within the Vision including improving the cultural life of the city. It is recognised that Leeds needs suitable facilities to host major international events, conferences and tours. Consequently, "a new, large-scale international cultural facility, such as a concert hall, arena, exhibition or conference facility" will be developed.

1.4.4 The UDPR embraces and adopts as its own principles the strategic aspirations within the Vision for Leeds.

1.4.5 SPG 14 Leeds City Centre Urban Design Strategy (September 2000)

The proposed development falls within the North Street / Clay Pit Lane area (Study Area 6) of the design guide. Relevant key aspirations are highlighted as follows:

- Improve pedestrian links within the area and to/from other areas
- Enhance gateway images
- Encourage uses which complement the central area
- Encourage housing development
- Encourage mix of uses
- Encourage demolition of poor quality / under-developed sites
- Improve existing spaces
- Encourage more active frontages
- Improve boundary treatments

1.4.6 Public Transport Improvements and Developer Contributions SPD (August 2008)

The SPD identifies the need for, and scale of, developer contributions in order to bring forward required enhancements to strategic public transport infrastructure in accordance with PPG13, and UDPR.

1.4.7 SPG2 Leisure Developments and Other Key Town Centre Uses (October 1997)

The SPG expresses the importance of ensuring appropriate locations for town centre uses. Leisure development capable of enhancing a centre's viability is encouraged. Uses attracting large numbers of people should first be located within the city centre and town centres. The city centre should be the primary location for the development of regional facilities.

1.4.8 Emerging policy

The following draft Supplementary Planning Documents have yet to be adopted: City Centre Public Realm Contributions, Sustainability Assessments, Sustainable Design and Construction, Tall Buildings Design Guide, and Travel Plans.

1.4.9 The Local Development Framework (LDF) is the name given to the new system of Development Plans. The Local Development Framework will gradually replace the Unitary Development Plan. The Core Strategy is the principal document in

the LDF and will set out the Council's vision for the future development of Leeds over the next 20 years. The Core Strategy is shaped by a range of policies, including the Vision for Leeds (Community Strategy), the Regional Spatial Strategy for Yorkshire and the Humber, and national guidance. Informal consultation on the Preferred Approach ended in December 2009. At the current time the Core Strategy carries little weight.

1.4.10 City Centre Area Action Plan (Preferred Options 2007)

The preparation of a City Centre Area Action Plan (CCAAP) is considered essential to tackle a series of development, regeneration and urban renaissance issues. However, as adoption of the CCAAP is some way off presently it can only be accorded limited weight. The key elements relevant to the scheme include the following:

- Promoting town centre uses in the city centre; encouraging the development of vacant and under-utilised areas of the city centre; and facilitate better integration of the city centre as a whole, and better connections to adjoining neighborhoods (Preferred Option PO-01).
- Acknowledging that the form and character of the city centre is rich and varied and that new development needs to be carefully designed to suit its individual context (PO-17).
- That new building needs to address climate change by incorporating appropriate waste storage, renewable energy and sustainable design technology (PO-22/23).
- Promoting provision of public space as part of major new development (PO-25).
- Ensuring new development is easily accessible to all (PO-28).
- Designating and promoting new pedestrian and cycle routes to connect the city centre with adjoining neighborhoods (PO-30).
- Promoting employment and training agreements to help link development opportunities with local unemployed and unskilled people (PO-37).

1.4.11 Elmwood Road – Brunswick Terrace Planning and Development Brief (2005)

The brief outlines general development principles which should be addressed in any planning application. These include:

- Improve connectivity to east, west and city centre
- Integration of building and spaces into existing built form and enhancement of settings
- Provision of landscaped belt to Inner Ring Road
- Creation of active frontages to buildings
- Opportunity to connect to Hepworth House site
- Closure of Elmwood Road
- The potential to introduce tall buildings to partner existing tall buildings

1.5 National planning guidance

1.5.1 Planning Policy Statement (PPS) 1 : Delivering Sustainable Development (January 2005)

PPS1 places a strong emphasis on the importance of sustainable development and encourages a positive approach to planning and development. The PPS recognises

the need to protect and enhance the quality, character and amenity value of urban areas. The PPS places particular emphasis on the importance of high quality inclusive design which is seen as a key element in achieving sustainable development and community involvement which is one of the principles of sustainable development.

1.5.2 The PPS describes in more detail the four elements of sustainable development and states that “the Government is committed to promoting a strong, stable and productive economy that aims to bring jobs and prosperity for all. Planning authorities should :

- Recognise that economic development can deliver environmental and social benefits
- Recognise the wider sub-regional, regional or national benefits of economic development and consider these alongside any adverse impacts;
- Ensure that suitable locations are available for industrial, commercial, retail, public sector (e.g. health and education) tourism and leisure developments, so that the economy can prosper;
- Provide for improved productivity, choice and competition, particularly when technological and other requirements of modern business are changing rapidly;
- Recognise that all local economies are subject to change; planning authorities should be sensitive to these changes and the implications for development and growth;
- Actively promote and facilitate good quality sustainable development.

1.5.3 Supplement to PPS1 : Planning and Climate Change (December 2007)

The supplement sets out the Government’s objectives to tackle climate change. New development should:

- Comply with policies for decentralised energy supply and for sustainable buildings;
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, and overall minimise carbon dioxide emissions;
- Deliver a high quality local environment;
- Provide appropriate public and private space;
- Give priority to the use of sustainable drainage systems;
- Provide for sustainable waste management; and
- Create and secure opportunities for sustainable transport.

1.5.4 Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (December 2009)

PPS4 integrates and streamlines policies previously contained largely with PPG4 and PPS6 which are now cancelled.

The Government's over-arching objective is sustainable economic growth. To help to achieve this, the Government's objectives for planning are to build prosperous communities; reduce the gap in economic growth rates between regions; deliver more sustainable patterns of development and respond to climate change; and to promote the vitality and viability of town and other centres as important places for communities. To do this the Government wants, among other things:

- New development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to the communities in an attractive and safe environment and remedying deficiencies and provision in areas with poor access to facilities.
- Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups).

The PPS sets out the Government's policy for town centres and main 'town centre uses', which include retail, leisure, offices, arts, tourism and cultural activities.

Policy EC10 states that LPA's should take a positive and constructive approach towards planning applications for economic development. Applications which secure sustainable economic growth should be treated favourably. Applications should be assessed against the following considerations: whether the proposal would limit carbon dioxide emissions and provide resilience to climate change; accessibility by a choice of means of transport; whether the proposal secures a high quality and inclusive design; the impact on economic and physical regeneration in the area; and the impact on local employment.

EC14 identifies the requirement for evidence to support town centre uses.

1.5.5 PPG13: Transport (March 2001)

Policy guidance contained in PPG 13 promotes development in areas of good transport accessibility and aims to reduce the need for travel through mixed use development. To deliver the guidance objectives, local authorities, when considering planning applications should:

- "Actively manage the pattern of urban growth to make the fullest use of public transport, and focus major generators of travel demand in city, town and district centres and near to major public transport interchanges;
- Locate day to day facilities which need to be near their clients in local centres so that they are accessible by walking and cycling;
- Plan for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling;
- Ensure that development comprising jobs, shopping, leisure and services offer a realistic choice of access by public transport, walking and cycling; and
- Give priority to people over ease of traffic movement and plan to provide more road space to pedestrians, cyclists and public transport in town centres, local neighbourhoods and other areas with a mixture of land uses." (paragraph 6)

- 1.5.6 Travel-intensive uses should be located in town centres or close to major transport interchanges. Local authorities should maximise the use of the most accessible sites such as those in town centres or near transport interchanges and should proactively promote intensive development on such sites.
- 1.5.7 New development should help to create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport (paragraph 28).
- 1.5.8 The PPG emphasises that retail and leisure developments should be focussed in town centres, (paragraph 35). Paragraph 76 highlights the importance of walking and suggests ways in which local authorities through planning applications can promote it. These include through attention to the “design, location and access arrangements” for new developments and by promoting “high density, mixed use development in and around town centres”. Local authorities should also ensure provision for, and sympathetic design, for cycling.

1.5.9 Planning Policy Statement 22 : Renewable Energy (August 2004)

The PPS highlights the need to consider the opportunity for incorporating renewable energy projects in all new developments. Positive planning which facilitates such development would help to contribute towards all four elements of the Government’s sustainable development strategy.

1.5.10 Planning Policy Guidance 24: Planning and Noise (October 1994)

PPG24 guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. The PPG indicates that it will be hard to reconcile some land uses, such as housing, with activities that generate high levels of noise. Wherever practicable noise sensitive developments should be separated from major sources of noise. Noisy activities should, if possible, be sited away from noise-sensitive land uses. Where it is not possible to achieve such a separation of land uses LPA’s should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise through the use of planning conditions or obligations (paragraph 2).

- 1.5.11 The PPG identifies a number of potential measures that could be used to control the source of, or limit exposure to, noise to ensure that development does not cause an unacceptable degree of disturbance. Such measures should be proportionate and reasonable and may include one or more of the following:

- Engineering : reduction of noise at point of generation; containment of noise through insulation; and protection of surrounding noise sensitive buildings;
- Layout : adequate distance between noise source and noise sensitive buildings and areas;
- Administrative : limiting operating time of source; restricting activities allowed on site; and specifying an acceptable noise limit.

- 1.5.12 There will be circumstances when it is acceptable or even desirable to meet other planning objectives to allow noise generating activities on land near noise sensitive development. In such cases LPA’s should use conditions or obligations to safeguard local amenity (paragraph 18).

1.5.13 PPG25: Development and Flood Risk (December 2006)

Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

- 1.5.14 Within Flood Risk Zone 1, the lowest level of flood risk, opportunities to reduce the overall level of flood risk in the area, and the application of appropriate sustainable drainage techniques should be sought.

APPENDIX 3 – MINUTES OF PLANS PANEL (CITY CENTRE) 4th FEBRUARY 2010

60. Application 09/04815/OT - Position Statement - Development of Leeds Arena by Leeds City Council at a site bounded by Clay Pit Lane/Inner Ring Road/ Wade Lane/Jacob Street/Brunswick Terrace, Leeds

The Chief Planning Officer submitted a position statement on the development proposals for the Leeds Arena. The Panel had previously visited the site and had received a pre-application presentation on 8th October 2009. Members noted receipt of comments from both statutory and non statutory consultees and were aware of recent comments in the press from the Commission for Architecture and the Built Environment (CABE) regarding the design of the Arena. Mr P Crabtree, the Chief Planning Officer, addressed the meeting and acknowledged the comments made by CABE and in response, he clarified that CABE had accepted the site was suitable for the Arena development but had queried the approach adopted to the planning process. Mr Crabtree explained that securing Outline permission would provide assurance that the principle of the development was agreed in the first instance, and allow the necessary contracts and road closure orders to be progressed. Mr Crabtree stressed the importance of this development to the city and its aspirations and that it would have a significant regenerating impact on the northern part of the city centre. The Principal Planning Officer then explained that Outline permission would provide the developer with flexibility in the design process whilst keeping overall momentum in the planning process.

The contents of an additional letter of representation received from the North Street and Regent Street Residents Association were reported regarding residents' parking controls and improved pedestrian links, particularly through the site to the Lovell Park area.

Plans and aerial photographs of the site were displayed at the meeting. Photos showing views to and across the site from various vantage points, including photo montages with the proposed Arena in-situ, were also displayed. Officers reported their view the Arena sat well within the site however the developer was aware the Brunswick Street elevation required further consideration.

The Principal Planning Officer explained that the proposal was supported by national and local policy and would deliver sustainable economic benefit. He highlighted the benefit of this site being close to the city centre and good transport infrastructure/pedestrian links and went onto outline the following matters:

Bus stops – to be improved within the immediate locality with an NGT stop proposed on Woodhouse Lane

Pedestrian access – the piazza will provide a new north-south route and a new northern footpath will link with the eastern network and provide through routes towards Eastgate / Harewood Quarter

Junctions – a new crossing will be provided on Clay Pit Lane designed to accommodate high volumes of pedestrians; the Merrion Way/Brunswick Terrace junction will be improved to include a raised plateau to assist pedestrian movement around the Arena and the Clay Pit Lane junction at The Coburg public house will also be improved.

Car parking – there were an estimated 2,900 car parking spaces within 400m of the site and on-street parking will be discouraged in residential areas. Existing Traffic Regulation Orders (TRO's) and Residents Parking Permit areas will be improved and extended. Parking spaces for disabled people would be provided on the access road, Tower House Street, Merrion Way and possibly in Queen Square.

The application is supported by a Travel Plan designed to reduce single car occupancy. The applicant had also confirmed that a public transport contribution would be paid in accordance with the SPD.

Service access road – this road will incorporate a turning head and provide a drop-off/pick-up point for taxis. Coaches would drop-off at Wade Lane; a “layover point” for coaches for the duration of events was yet to be identified. The Principal Planning Officer indicated that potential noise disturbance from the late night movement of event vehicles is an issue upon which there is continuing work

Amenity – the highest part of the Arena was designed to project away from the Opal 3 residential student block.

Mr J Thorp, the Civic Architect, briefly outlined the motivation for the design process and confirmed his support for the “fan-like” shape of the Arena itself within this site and the proposed access arrangements. He reported on the current challenges presented to the design team as being:

- Public realm – the need to ensure this is a viable space and can accommodate the movement of patrons attending when there is a full capacity event at the Arena
- Access – the need to ensure there are both detailed considerations of access to the Arena and general access to the site from various points across the city

The Principal Highways Officer outlined the balance of priorities between patrons arriving in the city centre to attend an Arena event at the same time as commuters leaving the city centre. Additional traffic and footfall would also be generated for matinee events during the weekends. This would require careful management. The traffic modelling undertaken so far confirmed that the highway network could accommodate the additional traffic generated by the Arena with some alteration to signal timings.

The report sought to identify planning policies relevant to the arena development, confirm the details of the planning application and identify outstanding issues; to update Members on the outcome of the initial consultations and to seek the Panel’s comments on a number of key issues as highlighted in the report at paragraph 9.9.

The Panel acknowledged the importance of the Arena development to the vitality and economy of the city and went onto discuss the following matters with officers:

Queens Square – contained a public park and some residential property. Patrons should be discouraged from using this site as a short-cut to the arena.

- Officers responded that the applicant had conducted a pedestrian movement study and this was not one of the preferred routes. Signage could be used to discourage its use and highlighted the new pedestrian initiatives and footway along Providence Place which would encourage patrons away from this area

Merrion Centre Car park – the entrance requires careful controls to balance pedestrian and vehicle priorities

Disabled access/transport – Panel members were in receipt of an e-mail from a representative of the Access Committee for Leeds. Members discussed whether the 35 space taxi rank on the service road would provide sufficient space for pick-up/drop-off for wheelchair accessible vehicles as some of these required extra space for manoeuvring and whether the road could incorporate an area designated specifically for such vehicles.

Members also commented that the population generally was ageing, and there would be a subsequent increase in the numbers of people with mobility issues who would require the use of taxis/private hire vehicles to transport them closer to the Arena. The Panel noted a query why the service road could not be a through-road.

- The Principal Highways Officer confirmed there would be sufficient space for all the necessary vehicle movements and time required for all passengers to disembark. The service road arrangements were being discussed with LCC Taxi and Private Hire Section and representatives of the taxi trade.
- It was reported that creation of a through-road onto Clay Pit Lane would conflict with pedestrian priorities, level changes and incur more costs. A new junction there could not, in any event, provide a right-turn facility as there was not enough space on Clay Pit Lane for stacking turning vehicles prior to the Inner Ring Road junction signals. All traffic would have to go left and back into the city centre, there would not be any advantage in terms of traffic routing and there would be concern that this would conflict with pedestrian movements across Clay Pit Lane towards the car park and increase U-turns at the bottom of Clay Pit Lane.
- Officers highlighted the fact that not all 142 events per year suggested for the Arena would be capacity events, or evening events and officers were confident that the existing city centre car parks could cope with the additional visitors subject to the careful signage, management and control of the visiting traffic.

Noise impact – Panel expressed concern over possible noise impact on the residents of Opal 3 and the Harrison Potter Homes nearby; especially as the Arena could be in use 24 hours a day, 7 days a week. A suggestion was made to restrict the use of the Arena to cease at 00:00 midnight, whilst acknowledging the service road would still be in use after this time whilst events were dismantled.

- Officers responded that restricting the hours of use would adversely affect the use of the Arena and restricting the hours for stage clearance would not be acceptable

Clay Pit Lane development sites - Panel discussed the two proposed development sites and the impact the Arena would have on any future proposals here, and similarly the impact of any high rise development on these two sites. Members suggested that the sites could be utilised as pickup/drop-off points for the Arena until their development commenced.

- The Civic Architect responded stating the LPA did not envisage the 2 sites to be suitable for “tall building” development.

Public realm – the two proposed development plots appeared to reduce the available public realm space and Members were keen to ensure that LCC provided a high quality landscaping scheme and that the pedestrian routes made proper links with existing routes and the city centre.

- The Civic Architect reported on current consideration of making a defined edge for the site at Claypit Lane, and rather than using temporary landscaping whilst the development took place, to use better quality, but ultimately “sacrificial landscaping” instead

Pedestrian access – any proposals must include routes through to Lovell Park and those routes must be carefully considered in terms of safety and amenity

- Officers agreed to ensure that this would be addressed through the evolution of the scheme.

Car Parking – the Panel sought more detail of the off street strategy particularly on which areas would be included. The Panel were concerned that patrons, who did not wish to pay to use the car parks, would park in residential areas such as the Lovell's or Hyde Park, or on North Street, and walk to the site.

A suggestion to utilise the derelict nearby Caspar site as a car park was made but officers reported this was not within the gift of LCC as it was not an LCC owned site. Members added that there were existing businesses on North Street which flourished due to the car parking available through the day and evening, any arena users parking there would have a negative impact on those businesses.

Members also highlighted the fact that Leeds already benefited from a strong night time economy and visitors already made use of the existing city centre car parks during the evenings. Members were keen to ensure that the car parking and highways strategy could manage the conflicting visitor priorities.

- The Principal Highways Officer reported that the adjacent residential areas were covered by Residents car permits schemes largely to prevent daytime commuter parking and these schemes would be extended to address night –time parking too.

Coaches – further detail of the “layover area” was required and the Panel was keen to ensure this was not on Woodhouse Moor which was regarded as a sensitive area

(Councillor Hanley withdrew from the meeting for short time at this point)

The Panel then went onto discuss the issues highlighted in the report as recommendations to consider and:

- considered the location of the arena and agreed to endorse the preferred location
- agreed to confirm the acceptability of the outline application process and the design approach being pursued

With regards to the issues at 9.9 of the report, the Head of Planning Services, in agreement with Panel, summarised the main areas for future consideration as:

Suitability of the site – noted the Panel agreed the preferred location but key issues were whether the site would cope with the projected people and vehicular movements and the impact of the Arena on the existing residents. Assurances were sought on the future of the two development plots and how the Arena site works

Building parameters – the scale, footprint, height and “fan shape” of the proposals were broadly accepted, but further information on the two adjacent development blocks was required

The off-street car parking strategy – more detail on the overall strategy (including controls in the adjacent neighbourhoods) was required especially to cover the night time economy particularly

- How will visitors be directed to available spaces
- How the impact on local communities will be managed
- Details of existing controls and those proposed with the application

Service road provision – details to include the taxi/disabled parking provision (including the lay-over site) and how the cul-de-sac arrangement will work

Pedestrian access and suitability of the routes to and from the site – further consideration of the Lovell Park area was required and more detail of proper links through and to the site required (to include Merrion Street, Merrion car park and Queens Square)

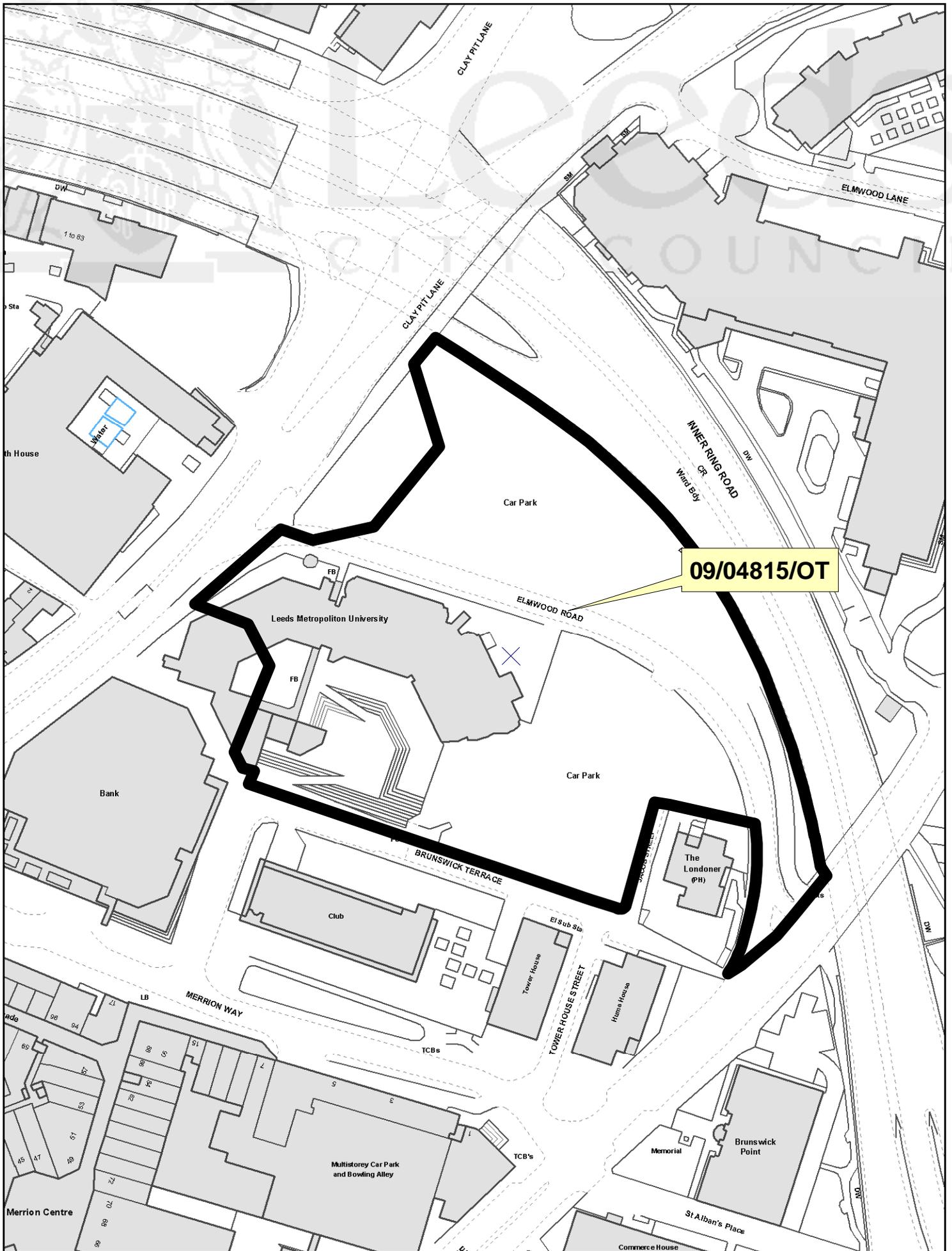
The public realm – the two development plots and how they work in the future will be a key issue for Members to consider. In the short term these were vacant spaces but in the long

term would be developed and impact on the arena and the space about the site available for patrons

The 24/7 service arrangements – more detail of the noise implications was required

Finally the Panel noted the aspiration to present the Outline application to the March meeting, but due to the number of issues identified, the submission timetable may have to be revised

RESOLVED – That the contents of the Position Statement and the comments of the Panel be noted



CITY CENTRE PANEL

Scale 1/1500

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