

**Report of the Chief Planning Officer**

**PLANS PANEL CITY CENTRE**

**Date: 1<sup>st</sup> July 2010**

**Subject: APPLICATION 10/00923/OT – OUTLINE PLANNING APPLICATION FOR REDEVELOPMENT OF LAND AT MEADOW ROAD FOR USES WITHIN THE FOLLOWING CLASSES B1, D2, C1, C3 (UP TO 296 RESIDENTIAL UNITS) AND ANCILLARY A1, A3, A4, AND A5 USES, INCLUDING ASSOCIATED WORKS FOR THE FORMATION OF SITE ACCESS ROADS AT LAND BOUNDED BY MEADOW ROAD, JACK LANE, BOWLING GREEN TERRACE AND TRENT STREET, LEEDS 11**

**APPLICANT**  
Montpellier Estates Ltd

**DATE VALID**  
3/3/10

**TARGET DATE**  
23/7/10

**Electoral Wards Affected:**

**City & Hunslet**

☐ NO

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

**POSITION STATEMENT ONLY**

**1.0 INTRODUCTION:**

- 1.1 This application is for a major mixed use development on the site known as 'City One' at Sweet St and Meadow Road. The site has benefited from previous major outline consents in 2004 (reference 20/476/02/OT) and 2006 (20/517/04/OT) and was also considered as a potential site for the arena.
- 1.2 The current scheme was brought to Members as a pre-application presentation in November 2009. Members received a presentation from the scheme architects and provided comment on the proposals. A summary of Members' comments is provided in section 5.0 below. The scheme was developed further and an outline planning application was submitted in March of this year.

- 1.3 This outline application is presented to Panel as a position statement and Members are requested to provide comment.

## 2.0 PROPOSAL:

- 2.1 This outline scheme seeks approval for the principle of development and means of access only, all other matters (scale, appearance, landscaping, layout) are reserved.
- 2.2 An indicative site layout plan is included at the end of this report.
- 2.3 The scheme would comprise of 10 buildings providing office, residential and leisure (primarily hotel) accommodation, a multi-storey car park (MSCP) and ancillary retail units. The table below highlights the maximum floorspace proposed:

Use	Maximum Floorspace (Gross External Area M <sup>2</sup> )	
Office (B1)	93,071	
Residential (C3)	22,427	Up to 296 units
Retail (A1)	2,499	
Food and Drink (A3-A5)	1,483	
Leisure (incl. casino) (D2)	8,908	
Hotel	22,852	
Miscellaneous	751	
Car Parking	44,066	1,552 spaces
<b>Total</b>	<b>196,057</b>	

- 2.4 Consent is sought for an amount of development up to the maximum floorspace identified above. Parameter plans have been submitted that show the minimum and maximum footprints and heights of the proposed buildings. In addition there is a parameter plan that shows the minimum and maximum distances between buildings to ensure appropriate separation and amenity space is provided.
- 2.5 Primary uses for the ground floor and upper floors of each building have been identified as have possible alternative uses. Ground floor 'active frontages' (A1, A3-A5 uses) are provided along the north-south pedestrian route through the heart of the development and along the Sweet Street frontage.
- 2.6 As the scheme is in outline only full details regarding form and design are not known at this stage. However, in addition to the parameter plans, a design code further highlights various parameters, design principles and precedent images of buildings and materials that will influence the future reserved matters submissions.
- 2.7 A large area of public open space is located in the middle of the site that is intended to provide a 'green heart' to the development. On the western boundary are the residential blocks (R1, R2, R3). The MSCP (CP1) is located to the south of this open space with three office buildings (O2, O3, O4) fronting Meadow Road in the east. There is a further office block (O1) and the hotel/casino development C1, H1, H2) at the northern end of the site on the Sweet Street frontage.
- 2.8 Vehicular access/egress points are available from Sweet Street and Bowling Green Terrace with an additional egress point onto Jack Lane. Further service routes will be provided within the site. The scheme also allows for the delivery of a cycle lane

running north-south within the site (as requested by Members when considering the previous outline approval).

- 2.9 A Car Park Management Plan has been submitted that highlights how the multi-storey car park will be managed to ensure it provides UDPR allocated parking, car sharing and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation in accordance with UDPR allocations. Around 450 parking spaces will be provided in the basements of the proposed buildings.
- 2.10 The electricity substation currently in the centre of the site will be relocated into the proposed MSCP on the southern boundary.
- 2.11 A section of Trent Street is to be closed and Bowling Green Terrace is extended up to Sweet Street.
- 2.12 The scheme is a phased development, areas of public open space and highway works are delivered with relevant building phases.
- 2.13 As this is a multi-phase and multi-building development, the applicant has requested the time limit for implementation be increased. In line with government guidance that permits planning authorities to agree extended time limits, and other recent approvals in the city centre, an increase of the normal time limit is considered appropriate. Conditions will restrict the development to no more than 4 phases and require phase 1 reserved matters to be submitted in 5 years with following phases submitted every two years.
- 2.14 The application is supported by the following documents:
- Planning Statement.
  - Design and Access Statement
  - Design Code and Sustainability Statement.
  - Various plans for approval and for information.
  - Transport Assessment.
  - Car Park Management Plan.
  - Environmental Site Investigation.
  - Geo-Environmental Desk Study.
  - Master Travel Plan.
  - Residential Travel Plan.
  - Noise Assessment.
  - Air Quality Assessment.
  - Wind Impact Assessment.
  - Ecological Habitat Report.
  - Utilities Statement.
  - Statement of Community Involvement.
  - Flood Risk Assessment.

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

- 3.1 The site lies within the southern part of the City Centre, immediately west of Meadow Road, which is the main distributor to the City Centre from the M621.
- 3.2 The site measures 3.79 hectares.
- 3.3 The area has been predominantly commercial in the past but much of the site is now cleared and used as an unauthorised commuter car park. Halfords are located

in the north east corner of the site, there is an electricity substation in the middle and a warehouse unit in the southwest corner of the site is used as a nightclub/events venue. Previous uses include a bowling alley, car dealership and repair garage and associated open parking areas.

- 3.4 There is a large electricity sub-station within the site, and industrial units to the west. Small, low industrial units lie to the south across Jack Lane. To the north, across Sweet Street is the City Walk development consisting of offices, Bewleys Hotel and residential units, rising to 10 storeys, a cleared site providing unauthorised surface car parking but with approval for an 8 storey office block and the 'Mint' development consisting of 8 storeys of offices. Planning application 09/03829/OT proposed a multi-storey car park and two office blocks of 6 storeys in height on the site to the immediate west of 'City One', this application was recently approved in principle at the 29<sup>th</sup> April 2010 Panel.
- 3.5 The site rises from Sweet Street southwards towards Jack Lane.
- 3.6 The eastern portion of the site lies within a Prestige Development Area as designated by the Leeds Unitary Development Plan Review (2006). The site is outside Holbeck Urban Village with the boundary being Sweet Street to the north of the site.
- 3.7 There are gas pipelines running along the northern and southern edges of the site and flood zones 2 and 3 extend into the northeast portion of the site.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 20/517/04/OT: Outline application for a multi-level development up to 40 storeys with 450 flats, offices, hotel, casino, MSCP (1550 spaces), A1, A3, A4, A5, approved 19/9/06. This consent was for a similar major mixed use scheme to that currently proposed. This scheme was on a slightly smaller site as it did not include the former LA Bowl site that is now included in the current application. This consent expired in September 2009 and, in addition to the application below, established a number of principles for a major mixed use development in the area.
- 4.2 20/476/02/OT: Outline application to erect up to 22 storey hotel & casino, offices A1 A3, A4 and A5 food & drink units and multi storey car park, approved 21/2/03. This was the first major mixed use approval for a site that excluded the former LA Bowl site and the warehouse to the southwest.
- 4.3 Part of the site abutting Sweet Street is subject to enforcement action against its use as a long stay commuter car park. An enforcement notice was served on Montpellier Estates Ltd on 16/3/10, this notice has been appealed.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Officers commenced discussions on the current proposals in 2007. Initially, a number of workshops took place to undertake an urban design analysis of the site and surrounding area and establish 10 key urban design principles. This analysis and design principles were then used to develop the site layout and parameter plans that formed part of the application submission. Detailed discussions have also taken place regarding the highways implications and section 106 heads of terms.

- 5.2 A pre-application presentation was made at the 5<sup>th</sup> November 2009 Panel. The scheme architects presented the proposals and Members made the following comments:
- Was there any affordable housing included in the scheme? *Response: In accordance with policy, the scheme will deliver 15% affordable housing either on site or in the form of a commuted sum.*
  - A daylight/sunlight study should be submitted to ensure sufficient light will penetrate the residential units and open space. *Response: A sun path study for the months of April, July and October has been submitted in support of the scheme and a brief commentary is provided in the design and access statement. The main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations. Information has been provided in the design code that highlights the quality of the design of the open spaces.*
  - The scheme should include good street and feature lighting. *Response: Feature lighting columns have been identified on the main north-south pedestrian route through the central public space to highlight this route. Full details of the lighting will be conditioned..*
  - There was uncertainty regarding the quality of the open space, potential dominance of buildings and the amount of light into these spaces. *Response: Further details regarding the amount, usability and quality of the open space is provided within the supporting documents. The scheme complies with UDPR policy CC10 that requires a minimum of 20% public open space. A more detailed appraisal of the public open space is provided in section 10 below.*
  - Has sufficient public open space been included? *Response: See comment above and appraisal section below.*
  - The site is a prominent and important site and needed to be dynamic. *Response: The indicative layout proposes a layout that introduces new pedestrian connections and the potential for landmark buildings. The flexibility of the proposals, design code and developer's commitment to using a number of architects to design the individual buildings will further ensure a high quality dynamic site.*
  - Whilst accepting the need for flexibility, it was important that the maximum tolerances were not pursued across the whole site as this would lead to a reduction in amenity space. *Response: The maximum tolerances cannot be achieved across the whole site with regard to building heights. The parameter plans include a plan that requires minimum distances between buildings to ensure the amenity space is kept to an acceptable level.*
- 5.3 Following the presentation to Members, officers continued discussions with the applicant to ensure the submitted scheme was developed to reflect members' comments.
- 5.4 The applicant carried out a public consultation exercise in the Ante Chamber of the Civic Hall on the same day as the pre-application presentation, 5/11/09. Invitations were sent to 20 businesses adjacent to the application site, ward councillors, members of the Leeds, York and North Chamber of Commerce and an advert was placed in the Yorkshire Evening Post. This event displayed the proposals and was attended by 20 people, 4 comment sheets were submitted. The comments largely

supported the scheme and its greenspace, there were comments requesting family housing and local employment.

- 5.5 The applicant also met with Leeds Civic Trust on 6/11/09. In a letter from the Civic Trust support for the scheme was offered and it was stated it was a significant improvement on the previous scheme. The Civic Trust also believed the scheme proposed better integration into the surrounding area and supported the mix and distribution of uses.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 An advert was placed in the Leeds Weekly News 18/3/10 and site notices were placed around the site on 12/3/10.

- 6.2 Leeds Civic Trust have commented on the scheme and generally support the proposals. The Trust believe this is a significant improvement on the previous scheme and will integrate into the grain of the city. The mixed use character will increase activity to Holbeck and it will be important to create a safe and direct route across Sweet Street. The layout of uses seem appropriate but the proximity of the proposed MSCP to the west of the site could restrict the amenity of the proposed residential units. The tall building is appropriate in this location and its design should be of a high quality. More than one architect should be used to design the buildings. *Response: The MSCP car park to the west would be no less than 16.5m from the proposed residential block (and could be up to 24m away), this separation is considered compatible with the existing city centre character and urban grain and would not unduly detract from adjoining residential amenity. The detailed design of the MSCP will ensure that there are no adverse effects on amenity (eg car headlights etc). The design code highlights quality design and the developer's commitment to seeking multiple architects designing the buildings. Crossing routes across Sweet Street are being examined by highways colleagues.*

- 6.3 One letter of support has been received from Rushbond Plc that own the land on the western side of Bowling Green Terrace. Rushbond are generally supportive of the mixed use scheme. However, Rushbond believe the central space is inward facing resulting in the buildings turning their back on the Rushbond site. The building adjacent to their site are substantial. *Response: The scheme has developed with buildings on the back edge of Bowling Green Terrace and it would be inappropriate to set the buildings in from the highway and create any limited and difficult to use open space. The large central space will meet public open space requirements for the site and much of the area and will extend to the western edge of the site and therefore allow adjacent developers to link to and associate with this space. Whereas the proposed buildings are taller than the existing commercial units they respect the more recently constructed buildings and heights intended for the area as supported by the Holbeck Urban Village Planning Framework.*

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory**

- 7.2 **Environment Agency:** No objection subject to a condition requiring a sustainable drainage system be agreed.

- 7.3 **Health and Safety Executive:** The site falls within the consultation distances of two high pressure gas pipelines. Only landscaping and access roads are located within the inner zone of the pipeline on Sweet Street and part of the MSCP and less

than 10% of office block O4 are within the inner and middle zone of the pipeline at the south of the site. As such there is no objection on safety grounds.

- 7.4 **Highways:** A highway improvement scheme has been submitted to provide improve traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site. Further testing of the impact on the highway network is taking place and updates will be provided verbally at panel. Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians. A car park management plan (CPMP) has been submitted to ensure appropriate management of the MSCP that serves the development. A one-off payment of £6,000 will be required for the removal of each pay and display parking space on Trent Street to cover the loss of revenue. Response: Discussions are on going regarding the highways issues and updates will be provided verbally at panel.
- 7.5 **Highways Agency:** Further information, justification of various points and improvements to the travel plans are required. Response: Discussions are on going and will be addressed prior to the application being brought for determination.
- 7.6 **Leeds Bradford International Airport (LBIA):** The tallest building (up to 119m) does not raise any problems. Crane locations and radio masts should be agreed with LBIA and there should be minimal light pollution. Response: The requirement to inform LBIA regarding crane and radio masts will be added as a direction, the standard lighting condition will also be added to protect against excessive light pollution.
- 7.7 **Yorkshire Forward (YF):** The scheme is welcomed as it has the potential to deliver significant economic benefits to the city and wider city region. The development will enhance the entrance to Leeds and assist in the regeneration of Holbeck Urban Village (HUV). The range of uses is appropriate and YF would support uses that further promote social inclusion in the area. The Sweet Street boulevard and central public open space are also welcomed. The highest sustainability standards viable at the site should be sought.
- 7.8 **Non-statutory**
- 7.9 **Access:** The application is in outline and no details regarding access are provided. Such details should be addressed by the reserved matters submissions. No objection.
- 7.10 **Affordable Housing Delivery Team:** 15% of the residential units should be affordable.
- 7.11 **Architectural Liaison Officer:** The site is within a high crime area and consideration of this should be taken into account. The North East Counter Terrorism Unit should be contacted at reserved matters stage and site security should be considered during detailed pre-application discussions.
- 7.12 **Education:** If any of the residential units have 3 or more bedrooms an education contribution would be required. Response: Such a requirement will be incorporated into the S106.

- 7.13 **Entertainment Licensing:** Licenses would be required for any casino/bingo hall and any premises selling alcohol.
- 7.14 **Environmental Health:** The dominant noise source in the area is road traffic, this issue is addressed in the noise report, double glazed non-opening windows and alternative ventilation will address this concern. Standard conditions are requested plus conditions restricting entrance/exit doors to the hotel and casino being onto Sweet Street only to protect the amenity of the residential accommodation. *Response: An appropriate condition will be added that requires a full examination of the potential for opening windows and suitable ventilation systems. The site is a major mixed use scheme with many active uses and it is hoped it will be in use 24 hours a day. As such it is not considered necessary or appropriate to restrict the location of the access doors to the casino and hotel uses.*
- 7.15 **Land Contamination:** No objection subject to conditions.
- 7.16 **Mains Drainage:** No objection subject to standard conditions.
- 7.17 **Metro:** Concerns are raised regarding the level of car parking, a public transport contribution should be sought, the developer should demonstrate how people will access the site from the opposite side of Meadow Road, the developer should provide a contribution to a second free city bus, greater commitment to the travel plan measures should be provided and there is an objection to the shortening of the bus lane on the inbound Dewsbury Road. *Response: The car parking is in accordance with UDPR allocation. The development will trigger a public transport contribution in accordance with policy but there is no second free city bus proposed at this time and no policy for this specific contribution. Until such a requirement for the second free city bus is identified, public transport contributions will continue to assist the deliver of improvements already identified. It is envisaged most people will arrive at the site from the north or south, existing crossing points are provided on Meadow Road. Improvements to the travel plans are being sought and discussions are on going regarding the shortening of the bus lane.*
- 7.18 **Northern Gas Networks (NGN):** NGN object to the scheme unless there is reference to the potential need to divert the pipelines and the lead in time to complete this work. NGN would like any planning consent granted to make reference to the need to permit NGN to undertake a risk assessment to examine if the pipelines will need to be moved and if they need time to complete the works. *Response: This issue is addressed in the appraisal section below.*
- 7.19 **Public Transport Officer:** The proposal will generate a significant number of public transport trips therefore a contribution of £1,101,310 should be sought in accordance with supplementary planning guidance.
- 7.20 **Transport Policy:** Further improvements to the submitted master and residential travel plans are required. The agreed travel plans and monitoring fee of £6,715 must be secured by S106. Conditions should be added that require cycle and motorcycle parking, the location of the car club and the 100 car share spaces and the provision of staff shower facilities. *Response: The necessary improvements to the travel plans are being sought, the travel plans will be appended to the S106 and appropriate conditions added.*
- 7.21 **West Yorkshire Archaeology Advisory Service (WYAAS):** There are no apparent significant archaeological implications attached to the proposed development.



7.22 **Yorkshire Water (YW):** Standard conditions requested including ones requiring easements to the water mains and sewers that cross the site. The baseline layout includes buildings over the line of the sewers and would not be acceptable. Sustainable Drainage Systems (SUDS) should be encouraged. Surface water discharges should have a reduction of a minimum of 30% on current levels to reflect climate change. The submitted Flood Risk Assessment (FRA) is acceptable and indicates discharge rates as previously agreed with YW. *Response: The requested conditions will be added to any approval and will include a condition that ensures reduced discharges. Whereas the potential site layout would conflict with existing sewers and/or water mains the conditions allow for diversion of the water mains to be agreed and implemented prior to the buildings being constructed. This issue has already been raised directly with the developer by YW and should not prevent any grant of planning consent.*

## 8.0 PLANNING POLICIES:

### 8.1 Development Plan Policies

8.2 **Regional Spatial Strategy (RSS):** The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region. It should be noted that a recent Ministerial statement has confirmed the governments intention to abolish the RSS and as such it should be accorded limited weight in the interim.

8.3 **Unitary Development Plan (Review 2006) (UDPR):** The eastern part of the site is located within a Prestige Development Area (PDA). Other relevant policies include:  
**Policy GP5:** Proposals should resolve detailed planning considerations.  
**GP11, GP12** (Sustainable Design).  
**BD2:** New buildings should complement and enhance existing skylines, vistas and landmarks.  
**BD4:** Seeks to minimise impact of plant and machinery.  
**BD5:** Seeks to ensure a satisfactory level of amenity for occupants and surroundings.  
**BD15:** Public art will be encouraged where appropriate.  
**T2:** Development proposals should not create new, or exacerbate existing, highway problems.  
**T5:** Satisfactory provision for pedestrians and cyclists.  
**T6:** Satisfactory disabled access.  
**T24:** Parking to reflect detailed UDP parking guidelines.  
**H4:** Residential developments on non-UDPR allocated sites.  
**A4:** Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.  
**SA9, SP8:** Promote development of City Centre role and status.  
**CC4:** High quality design and appropriate scale at city centre gateway locations.  
**CC10:** Sites over 0.5ha require 20% public open space.  
**CC21:** Ancillary shopping development can be accepted outside the Prime Shopping Quarter  
**CC27:** Proposal areas within the City Centre.  
**CC31:** Uses appropriate within Prestige Development Areas (incl. hotels, conference, leisure).  
**S1:** The role of the CC as the regional centre will be promoted.

**N12:** Fundamental priorities for urban form.

**N13:** Requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

**LD1:** Identifies requirements for landscape schemes

8.4 **Relevant Supplementary Planning Guidance.**

8.5 **Tall Buildings Design Guide (Adopted April 2010):** This Supplementary Planning Document (SPD) provides guidance as to where tall buildings should and should not be built. The document highlights the importance of design and urban design and seeks to protect the best elements already established within the city.

8.6 **Public Transport Improvements and Developer Contributions (2008):** Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.

8.7 **Holbeck Urban Village (HUV) Revised Planning Framework (2006):** Despite being outside HUV the principles established by the HUV Framework should be closely followed. This includes the guidance regarding the scale of development along Sweet Street, materials and uses.

8.8 **Neighbourhoods for Living – A Guide for Residential Design in Leeds (2003):** This SPD provides guidance regarding the themes and principles of residential design; the character and essence of Leeds and the submission requirements and analysis based process.

8.9 **City Centre Urban Design Strategy September (2000):** Seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections, develop a mixture of land uses, promote active frontages and promote sustainable development.

8.10 **Sustainable Development Design Guide (1998):** This document provides useful information for developers and designers in how the principles of sustainability can be put into practice, it will eventually be replaced by the Sustainable Design and Construction SPD once adopted.

8.11 **Leeds City Centre Area Action Plan (CCAAP)– Preferred Options Main Report (2007):** This development plan document identified the city one site/surrounding area as a potential 'service centre' that would include a range of convenience shops and services to meet a growing/proposed local population. Work on the CCAAP has ceased due to pressures to complete work on other policy documents and therefore only receives limited weight.

8.12 **National Planning Guidance**

8.13 PPS1 General Policies and Principles  
PPS3 Housing  
PPS4 Planning for Sustainable Economic Growth  
PPG13 Transport

9.0 **MAIN ISSUES**

- Principle of development and uses including the retail provision.
- Connectivity and site layout.

- Public open space.
- Scale, form and design principles.
- Highways issues.
- Sustainability and biodiversity.
- High pressure pipelines.
- Section 106.

## **10.0 APPRAISAL**

### **10.1 Principle of development and uses including the retail provision.**

10.2 The principle of a major mixed use development in this area has been established by the previous two planning approvals. Whereas the site has now increased in size and therefore resulted in a change to the amount of development proposed, the principle of redeveloping this largely cleared brownfield site is supported.

10.3 The development is located within the city centre and proposes a type and mix of uses similar to previously approved and in accordance with current development plan policy and national guidance that seeks to promote sustainable development in accessible locations and leisure uses within defined centres. The PDA designation supports the range of uses proposed.

10.4 The maximum retail content proposed is similar to that previously permitted. The amount of retail amounts to approximately 1% of the total floorspace proposed for the development. However, this is still a significant amount outside the designated Prime Shopping Quarter (PSQ), up to 2,499m<sup>2</sup>. The City Centre Area Action Plan (CCAAP) identifies the site as having the potential for being a 'service centre' with a range of convenience shops and services. Whereas work on this un-adopted Development Plan Document has ceased and is therefore offered limited weight, policy CC21 and paragraph 13.6.9 of the UDPR continue to promote ancillary shopping outside the Prime Shopping Quarter. It is still considered that the proposed retail content at the City One site could serve the site itself plus the existing and proposed developments nearby. Subject to further agreement regarding the scale of units and type of goods sold (greater emphasis on convenience goods rather than comparison) the retail content is considered acceptable and will not detract from the vitality and viability of the Prime Shopping Quarter.

10.5 The proposed abolition of the RSS is not considered to materially affect the determination of this application. The principle of a major mixed use development on this site is considered to comply with the document as adopted and with all other relevant development plan policies and national planning guidance.

### **10.6 Connectivity and site Layout.**

10.7 In addition to the understanding of the site and its surroundings identified during the course of approving the two previous planning applications, this scheme benefits from detailed pre-application discussions. A detailed urban design analysis of the site and surrounding area and a number of workshops took place to establish ten key urban design objectives that have influenced the scheme now proposed. The site layout fully accounts for the existing and proposed communities in the area and will significantly improve connections to and from the city centre, HUV and other nearby sites.

- 10.8 The urban design analysis identified key pedestrian access points and desire lines within the locality of the site and wider area and sought to clearly identify with these by locating the pedestrian routes into and out of the site in relation to the identified points and routes. One of these routes identified and incorporated into the scheme effectively links the Beeston area via New Princess Street to the southwest of the site, through the main public open space within the site, and onto Sweet Street and the city centre beyond. This was identified as being one of the key routes the site should deliver and resulted in the large area of public open space (5,250m<sup>2</sup>) in the centre of the site and the various ancillary routes into and out of this space. The design code ensures connecting vistas are introduced at various points along this route.
- 10.9 In addition to the creation of the principal open space, associated linking spaces and pedestrian routes, another of the ten key urban design objectives sought to introduce a strong built form on Sweet Street, Meadow Road and Jack Lane to create a boundary to the site and define the street edge. Such definition has been achieved by locating on or close to the boundaries of the site whilst the large open space and linking spaces ensures the site is not an insular development but one with a strong edge that still integrates with the surrounding area.
- 10.10 The location of the gas pipeline at the Sweet Street boundary has restricted development in this area therefore whereas a strong building line has been achieved, this is set back from Sweet Street. Such a strong building line (in addition to the scale of buildings discussed below) ensure the HUV Framework's aspiration to create the sense of an avenue along Sweet Street is achieved.
- 10.11 As the application is in outline only with layout being one of the reserved matters, parameter plans have been submitted that identify the minimum and maximum distances between buildings plus minimum and maximum building footprints. These plans ensure the appropriate vehicular and pedestrian access points can be delivered whilst allowing for flexibility in the final scheme. The layout parameters have been carefully examined to ensure appropriate distances between buildings are provided in the interests of streetscape, privacy, public open space and connectivity. As a minimum the site layout achieves significant open space and pedestrian connectivity in conjunction with the potential for attractive streetscapes and ensures distances from residential properties to other buildings achieves the usual 15m separation to protect privacy. Open space and the streetscapes (including the scale of the buildings) are discussed in more detail below.
- 10.12 **Members are requested to comment on the proposed connectivity and site layout.**
- 10.13 **Public open space.**
- 10.14 As identified above, pedestrian connectivity and the resulting public open space has been a key driver in the development of the scheme to ensure appropriate connections are made and a minimum of 20% public open space is achieved in compliance with UDPR policy CC10. If all maximum building parameters were proposed at reserved matters stage, therefore resulting in the minimum acceptable distances between buildings, the proposal would still meet the requirements of policy CC10. The open space would be significantly increased if the distances between buildings were greater than the minimum space parameters.
- 10.15 In addition to ensuring the amount of public open space is compliant with policy and the aspirations for the site, details of the quality of the spaces have been sought

with information provided within the design code and associated plans. The design code designates 8 areas within the site and promotes a type of space suitable for that location. For example, the large central space (5,250m<sup>2</sup>) is identified as the 'green heart space' that will incorporate 'traced lawns, parkland trees and a formal pedestrian avenue linking the north-south axis of the park. The use of natural materials such as timber to vertical structures and resin bound aggregate to footpaths' to emphasise its 'parkland character'.

- 10.16 Another important part of the site is the space adjacent to Sweet Street. This will take the form of a 'tree-line boulevard with avenue tree planting, integrated parking and wide pavements'. It will include the use of stone to crossing points to add warmth and texture to the urban street scene whilst other surfacing materials will demark areas under tree canopies and key intersections.
- 10.17 In addition to the specific references to the 8 identified public open space areas, the design code commits to using materials referenced within the HUV Framework, despite being outside the framework designation, to complement those within HUV.
- 10.18 The principles established in the design code will clearly determine the type and feel of the public open space across the site. In addition a plan defining active frontages has been submitted. This will ensure that the design of the buildings into the key public open spaces plus some of the uses within them will provide an appropriate setting to the spaces. Retail uses plus leisure uses such as bars and restaurants are proposed in these areas.
- 10.19 At the pre-application presentation members raised queries regarding both natural and street light within the public open spaces. As stated at 5.2, a sun path study for the months of April, July and October has been submitted in support of the scheme that shows the main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations.
- 10.20 With regard to street lighting, the submitted plans identify feature lighting columns on the main north-south pedestrian route through the central public space. Full details regarding lighting will be conditioned.
- 10.21 The proposed scheme introduces an acceptable amount of public space and commits to introduce high quality spaces specifically designed to meet the needs of its particular location. Active frontages further enhance the spaces and full details of all landscaping will be required by condition and reserved matters.
- 10.22 **Members are requested to comment on the quantity and quality of the public open space.**
- 10.23 **Scale, form and design principles.**
- 10.24 Parameter plans have also been submitted regarding the height of the proposed buildings. The key influences to have determined the scale of the proposals include the existing buildings in the area, general urban design objectives highlighted in UDPR policy, the HUV Framework, recently adopted tall buildings SPD and the previous planning approvals. One of the 10 urban design principles agreed through the pre-application design development also sought to achieve a diverse skyline that frames views into the city. At the pre-application presentation to panel it was stated

by one member of the panel that a dynamic development should be sought at this key gateway site.

- 10.25 The HUV Framework promotes buildings of around 7-9 storeys on the northern side of Sweet Street that would in turn closely reflect the scale of the existing Bewleys Hotel at the eastern end of Sweet Street. Despite being outside the HUV Framework boundary, 3 of the 4 proposed buildings on Sweet Street (R1, O1, O2) reflect this scale within their parameters.
- 10.26 The exception to this is the casino/hotel building (C1, H1, H2) that has a plinth with a parameter of 2-9 storeys with tower above ranging between 15 and 40 storeys. As this proposal incorporates a plinth, greater flexibility in the scale was considered acceptable as the primary element of the building is the tall tower. Tall towers were approved under the previous applications and the location of this tower is compliant with the tall buildings SPD and City Centre Urban Design Strategy that highlight suitable locations for tall buildings. The proposed tall building is within the north-south spine of existing and proposed tall buildings, at a gateway location, within a Prestige Development Area (PDA) and within a potential cluster area for tall buildings. This building will act as a 'pointer' for the pedestrian route from the south into the city.
- 10.27 The building in the northeast corner of the site (O2) reflects the 7-9 storeys appropriate on Sweet Street whilst development to the south of this along Meadow Road will be permitted under the parameter plans to increase in height up to a maximum of 13 storeys. This allows for greater prominence of the building in the southeast corner of the site and therefore appear as a gateway building adjacent to the M621 distributor, one of the main routes into the city.
- 10.28 The MSCP on the southern boundary of the site (CP1) and remaining buildings on the western boundary (R2, R3) have proposed heights of 6-12 storeys and 6-9 storeys respectively. The scale of the car park will be determined by the amount of development elsewhere within the site whilst the residential buildings reflect the scale of the buildings proposed at the adjacent site to the northwest.
- 10.29 The building toward the centre of the site (O5/R4) is designed with the greatest flexibility. The parameters allow this building to reflect the scale of those surrounding but also offer the potential to introduce a taller element up to 20 storeys. The taller element would be directly behind the tall hotel building and is therefore compliant with the tall building policies highlighted.
- 10.30 Despite being in outline only, a design code has been submitted that highlights a number of key design principles and aspirations that have been identified through the development of the scheme and will influence the final form and appearance of the buildings to be agreed via reserved matters submissions.
- 10.31 The design code identifies where setbacks should occur in particular buildings to reduce the prominence of upper floors and respect the scale of other buildings in the locality. The design code also requires the buildings along Meadow Road to be within 3 storeys of each other to ensure an appropriate urban form along this important route into the city.
- 10.32 With regard to the taller buildings there is a requirement for the two medium sized towers (H1, R4) to be no more than half the height of the tallest tower (H2) to ensure the taller tower remains the most prominent and acts as a marker in the area.

- 10.33 The detailed design of the tall buildings will comply with the tall buildings SPD to ensure high quality design and a focus on an appropriate grounding and top to the building.
- 10.34 Precedent images are included within the design code to highlight attractive elements of existing schemes that will be considered for the final design of the proposed buildings.
- 10.35 The scale of the buildings has taken into account the space between the proposed buildings and relationship with other buildings in the area whilst the proposed parameters and design principles ensure the individual buildings and site on the whole are appropriate for the area.
- 10.36 **Members are requested to comment on the scale of the proposed buildings and the form and design identified in the design code.**
- 10.37 **Highways issues.**
- 10.38 A highway improvement scheme has been submitted to provide improve traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site.
- 10.39 Further testing of the impact on the highway network is taking place and updates will be provided verbally at panel.
- 10.40 Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians.
- 10.41 A car park management plan (CPMP) has been submitted to ensure appropriate management of the MSCP that serves the development. This document ensures parking is allocated in accordance with UDPR standards plus the delivery car sharing spaces and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation in accordance with UDPR allocations.
- 10.42 **Sustainability and Biodiversity.**
- 10.43 Sustainability and biodiversity statements are included within the design code that highlight the aspirations of the scheme and how the scheme can respond to issues at reserved matters stage. Reference is made to the developers intention to achieve a minimum of BREEAM very good and Code for Sustainable Homes Level 3. It is intended to naturally ventilate the car park and examine the potential for green roofs and to deliver greater than 10% of the site energy from renewable sources. Conditions will require further details regarding the sustainability measures for each of the reserved matters submissions.
- 10.44 **High pressure pipelines.**
- 10.45 The Health and Safety Executive (HSE) are the statutory consultee regarding the gas pipelines adjacent to the site and they raise no objection to the proposals, as with the previous planning applications. Primarily landscaping and access roads and only a small amount of the buildings are affected therefore no objection is raised.

10.46 However, the pipeline operator, Northern Gas Networks (NGN) (a non-statutory consultee), object to the proposal unless the development is prevented from being commenced until they have relocated and therefore downgraded the pipeline. The legal requirement to downgrade any risk posed lies with the NGN therefore, as with the previous planning applications approved at the site, withholding planning permission or a condition restricting the commencement of the development on this ground is not appropriate. The regulations regarding the safety of the pipeline are enforced by the HSE under separate legislation and the planning authority should not try to duplicate control or legislation.

10.47 It is therefore considered there can be no concerns regarding granting planning permission on safety grounds. Whilst concerns expressed by NGN have been taken into account as a material consideration, on balance, whilst NGN may have to reconsider its operating methods in conjunction with the HSE, under its own legislation, the benefits in planning terms arising from the proposals, which are in line with long established proposals for the area, outweigh these concerns. For completeness, a direction will be added to request the developer liaises with the NGN prior to the commencement of development.

10.48 **Section 106.**

10.49 Heads of terms for the S106 have been agreed and work on the draft document has commenced. The S106 will have clauses to cover the following:

- Public transport contribution in accordance with SPD5.
- Education contribution if any of the residential units are 3 bed or larger.
- Securing the travel plan and travel plan monitoring fee.
- Penalties if the travel plan targets are not met.
- Delivery of 15% affordable housing.
- Public access arrangements to ensure 24 hour access is provided through the site.
- Car park management plan.
- Standard training and employment initiatives.
- Management fee for each clause.

10.50 Clauses may also be required in relation to the off site highway works.

10.49 At pre-application stage the applicant submitted a viability statement that shows the development to be unviable by virtue of producing a loss of almost £50m. The figures contained within the viability statement were accepted by Asset Management. Whereas the scheme is clearly unviable in today's market, the development is a phased development that will be delivered over many years and only once the economy has significantly improved and therefore profits increased. As such it is not intended to accept any reduction in planning contributions today. However, as with other recent approvals, a mechanism for submitting a viability statement in the future when reserved matters are submitted will be incorporated into the S106, which would allow the Local Planning Authority to consider this matter without prejudice at the appropriate time.

**11.0 CONCLUSION**

11.1 Members are asked to note the above position statement and provide comment on the proposals.



11.2 It is intended to bring a formal recommendation to the August Panel, when the proposal shall address all the outstanding issues and any comments made on this position statement.

**Background Papers:**

Application file 10/00923/OT and history files 20/476/02/OT and 20/517/04/OT.

Certificate of Ownership signed on behalf of the applicant and notice served on the owner of the electricity substation.

# CITY ONE LEEDS - DELIVERY PHASES



## LEGEND

10 / 00 92 3

OFFICE BOULEVARD DELIVERY PHASE

SWEET STREET BOULEVARD DELIVERY PHASE

BOWLING GREEN TERRACE LINK ROAD DELIVERY PHASE

\* phase delivered subject to highway capacity of existing road network

BOWLING GREEN TERRACE ACCESS ROAD DELIVERY PHASE

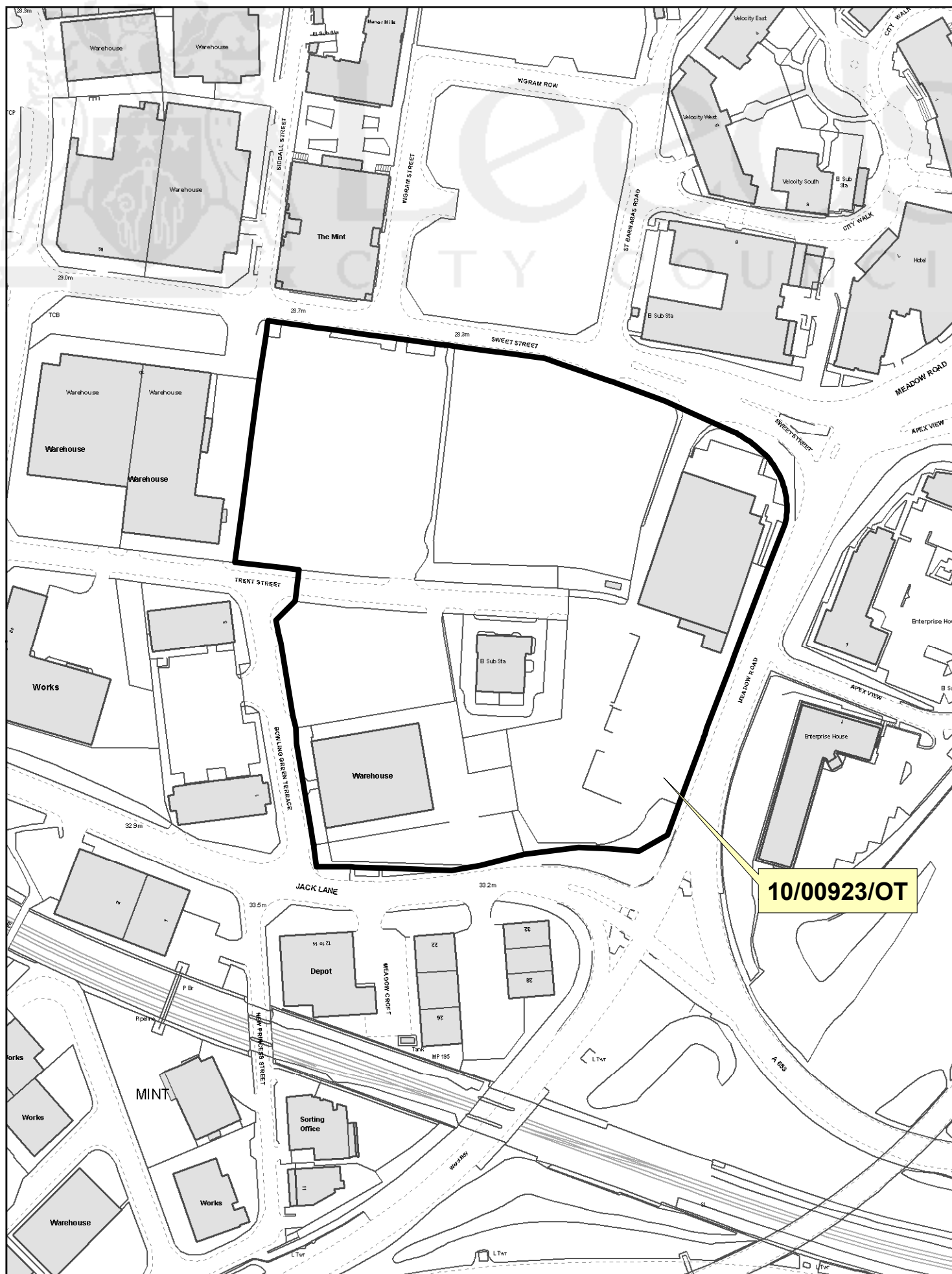
GREEN HEART DELIVERY PHASE

LOT BOUNDARIES

City One Leeds - Delivery Phases

Plan No.	PL 0001 / 903
Scale	1:1000
Drawn By	J
Checked By	U
Approved By	PS
Date	14/01/10





# CITY CENTRE PANEL

  
Scale 1/2000

PRODUCED BY COMMUNICATIONS, GRAPHICS & MAPPING, LEEDS CITY COUNCIL  
This map is based upon the Ordnance Survey's Digital data with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
(c) Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.  
(c) Crown Copyright. All rights reserved. Leeds City Council O.S. Licence No. - 100019567

