



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 16th September 2010

Subject: APPLICATION 10/01601/FU – ALTERATIONS TO PUBLIC OPEN SPACE AT VICTORIA GARDENS, THE HEADROW.

APPLICANT	DATE VALID	TARGET DATE
Groundwork Leeds – M Topping	8/4/10	3/6/10

Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: APPROVE subject to the conditions to cover the following:

1. Standard 3 year time limit for commencement.
2. Landscaping condition(s) requiring:
 - The replacement of any failed trees in the next available optimum planting season of November-February, replacement to be at an identical size.
 - Maintenance to be carried out in accordance with the submitted schedule.
 - York stone to match existing stone in colour texture and dimensions, samples to be provided.
 - Full details of crown pruning of retained oak trees to improve spacing between the crowns, with no height reduction.
 - Details at a reduced scale of stone carved lettering to be provided on the road frontage of the planters.
 - Full details of the benches, bins.
 - Samples of resin bound gravel.
 - Details of tree surrounds to the retained trees by the chess boards and details of passive irrigation of these by manipulation of finished levels, cross falls and surface water infiltration channels, flush grille covered.
 - Details of the tree up-lighting and any associated control boxes.

3. Full details of surface water drainage.
4. No increase in the height of the planting beds to ensure appropriate pedestrian visibility is retained.
5. The lockable drop down bollard system onto Cookridge Street must be retained.
6. The hard surfaced areas should be laid before use and should not contain loose material. All gradients must be no more than 1:20.

Reasons for approval: The application is considered to comply with policies GP5, T2, T5, T6, A4, N12, N19, CC5, CC9, CC11, BC7, N25, LD1 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy September 2000 and PPS1, 'General Policies and Guidance', and, having regard to all other material considerations.

1.0 INTRODUCTION:

- 1.1 This application was brought to the 19th August Plans Panel when a number of issues were raised. These issues are discussed in detail in section 10 below with a response provided.

2.0 PROPOSAL:

- 2.1 The refurbishment of Victoria Gardens is proposed. The scheme of refurbishment includes the following:
 - The removal of the 16 existing trees in the stone planters and replacement with 26 London Plane trees.
 - Damaged Yorkstone surfacing will be repaired or replaced.
 - The steps to the art gallery will be repaired and cleaned.
 - New bins, seating, integral information panels and 'Victoria Gardens' signage etched into the existing stone planters.
 - Replacement marble and granite chess boards will be introduced and smaller chess boards will be carved into the coping stones of the existing planters.
 - The existing planter in the north west corner adjacent to Calverley Street and the library will be reduced in size to assist pedestrian movement into the site.
 - The existing brick setts on the raised area in front of the library will be replaced by a resin bound surfacing that would be more complimentary to the Yorkstone elsewhere in Victoria Gardens.
 - Cycle racks will be relocated adjacent to the chess boards.
 - The existing step up from the Headrow pavement into Victoria Gardens will be removed and the levels re-graded to provide level access.
 - 58 uplighters will be installed in the planters to illuminate the proposed trees.
 - The planters will be turfed and bulbs planted (1,384 of both snow drop and crocus, 2,768 in total).
- 2.2 The Italian Alder in between the Art Gallery and Henry Moore Institute, the Joseph Beuys Oak adjacent to the war memorial and the two Oaks in front of the library will all be retained. There will be some crown pruning to the Oak trees in front of the Library.
- 2.3 The new London Plane trees will be planted in the existing 6 stone planters with a clear stem of a minimum of 2.4m with 2m x 2m boxed crown above. This crown will be allowed to grow out to 3m width x 4m height.

- 2.4 The Victoria Cross and Leeds PALS memorials are to be retained.
- 2.5 The project of refurbishment is wholly sponsored by Marks and Spencer. It is intended to carry out the works between January and April 2011.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site relates to the public open space known as Victoria Gardens. The site is bounded by the Headrow to the south, Calverley Street to the west, Cookridge Street to the east and the civic buildings of the Library, Art Gallery and Henry Moore Institute to the north. The Library is grade II* listed and the Art Gallery and Henry Moore Institute grade II. The site is within the Central Area Conservation Area.
- 3.2 Victoria Gardens was formed following the demolition of a cluster of Victorian buildings on the site in the 1930s. It was originally intended to construct a new building on the site as part of the Blomfield redevelopment of the Headrow.
- 3.3 There are 6 stone planters on the Headrow and Calverley Street boundaries. These planters contain shrubs and a total of 16 trees (1 Silver Birch, 3 Lime, 10 Crab Apple and 2 Cherry). The trees have an average height of around 5-10m.
- 3.3 The majority of Victoria Gardens is surfaced with Yorkstone with the exception of an area in front of the Library that is surfaced with brick setts. This area also contains two large chess boards. There is the monument at the eastern end of Victoria Garden and the war memorials within the eastern planter. There is seating located adjacent to some of the planters and a variety of signs within the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 09/04249/LA and 09/04250/LA: A package of wall mounted and free-standing signs on and around the Art Gallery and Library were approved on 11/1/10 following a panel resolution and referral to the Secretary of State. This proposal included free-standing banner signs adjacent to the planters and signs attached to the planters.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The applicant, Groundwork, carried out local public consultation on behalf of Marks and Spencer, this included face to face consultations at Victoria Gardens and a postcard questionnaire being distributed in the Library, Art Gallery, Tiled Hall Café and central Marks and Spencer. Leeds City Council Parks and Countryside have been fully involved in the formulation of the proposals at pre-application stage. The Chess Society have also been consulted.
- 5.2 Following the 19th August Panel, officers have discussed Members' comments with the agent and provide further details and a response to each issue raised in section 10 below.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 Site notices were erected around the site on 21/4/10 and an advert was placed in the Leeds Weekly News on 29/4/10.
- 6.2 Leeds Civic Trust have commented on the scheme as originally submitted in April. The Civic Trust state that Victoria Gardens is long overdue for an overhaul and commends the investment from Marks and Spencer. However, the Trust strongly

objects to the removal of the existing shrubs and trees that blossom every spring and replacement with shaped London Plane trees and turf within the planters. The Trust request 'colour and imagination'. The Civic Trust also objects to the suggestion in the material submitted with the application that they were involved in the pre-application process.

7.0 CONSULTATIONS RESPONSES:

7.1 Non-statutory:

7.2 Access: The amount of seating should not be reduced and the benches should accord with the latest design guidance and British Standard (BS). Further information should be provided regarding the new seating on top of the Library steps and the bollards should be designed in accordance with the latest BS. The resin bound gravel will be significantly different to the Yorkstone and may make some ambulant disabled people trip due to the friction of the surface. Evidence should be provided to ensure the material does not pose a trip hazard. The entrances from the Headrow should be re-graded to provide level access. *Response: The amount of seating is increased and significantly improved. All fixtures will be designed in accordance with the latest BS. The bench on top of part of the steps adjacent to the Library/terrace bar were introduced at the request of the Chess Society and LCC Events Team that have had concerns with regard to people watching the chess boards and other events and falling backwards down the steps. The steps are lightly used in this location and the bench is not considered to create a significant hazard to those climbing the steps but will significantly improve safety around the chess boards. The resin bound gravel will be agreed by condition to ensure there is no trip hazard. The entrances from the Headrow will be re-graded.*

7.3 Public Rights of Way: No known claimed public rights of way are affected.

7.4 Mains Drainage: Surface water discharges should be minimised.

7.5 Highways: No objections subject to conditions

8.0 PLANNING POLICIES:

8.1 Development Plan Policies

8.2 Unitary Development Plan (Review 2006) (UDPR): The site is designated as an 'existing pedestrian corridor/public space' and is located within the Civic Quarter, Central Area Conservation Area with a number of listed buildings in close proximity. Relevant policies include:

Policy GP5: Proposals should resolve detailed planning considerations.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

A4: Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.

CC5: All development in the CA must preserve or enhance the character of the area. New buildings in the CA should respect the surrounding buildings by normally being within one storey in height.

CC9/CC11: Enhancement of pedestrian spaces and routes.

BC7: Use of local materials in Conservation Areas

N12: Fundamental priorities for urban form.

N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

N25: Boundaries should be appropriate to the character of the area.

LD1: Proposals should allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity.

8.3 **Relevant Supplementary Planning Guidance.**

8.4 **City Centre Urban Design Strategy (CCUDS) 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. CCUDS identifies Victoria Gardens as an important 'City-wide Space' and highlights how the trees and flowers provide shade and colour outside the Art Gallery.

8.5 **National Planning Guidance**

8.6 PPS1 General Policies and Principles

9.0 **MAIN ISSUES**

- Issues raised at the 19th August Panel.

10.0 **APPRAISAL**

10.1 **Issues raised at the 19th August Panel.**

10.2 At the 19th August Panel Members commented on the following matters (**in bold**), a response to each issue is provided:

- **That whilst the offer of works to Victoria Gardens was welcomed, there were other areas around the city in more need of attention.** Victoria Gardens is an extremely important Civic space that has not benefited from any refurbishment for a number of years therefore it is considered appropriate to seek improvements to this space. The key consideration for Members is whether the proposals are acceptable, on their merits, for this location.
- **That there should be no change to the name of the gardens.** There will be no change to the name. 'Victoria Gardens' will be etched into two of the existing stone planters at the south east and north west corners of the site.
- **That the improved chess facilities were welcomed but that there was the opportunity for other games to be laid out to appeal to a greater number of people; concerns that the number of large chess boards was being reduced from 3 to 2 and had been re-sited away from their current position in the corner, which was considered to be the appropriate location for them.** In addition to the two large granite and marble chess boards proposed, seven chess boards are to be carved into the existing stone planters, these will be a similar size to a normal sized chess board. As such the ability to play chess at Victoria Gardens will significantly increase following the proposed refurbishment. Currently there are no chess pieces available for the third board therefore it is not in use and there is not the space to store further chess pieces within the library. The agent, Groundwork, have had several discussions regarding a third board with

the Chess Club and with the Libraries Service Delivery Manager. The libraries manager confirmed there is no storage available for more pieces and although the chess club expressed a desire to retain a third board, it is understood that the chess club are happy that the small scale boards will be placed around the site for everyday use. The smaller chess board will also allow for other games such as draughts to be played. It is not considered that games such as hop scotch would be appropriate in this Civic space and would further constrain the budget. The shortage of alternative games would not be a sufficient reason to resist the proposals.

- **Concerns at the proposed removal of the planter adjacent to the chess boards as this acted as a barrier to the loop traffic.** Only a small section of this planter within Victoria Gardens is removed, not any of the planter on the boundary of Victoria Gardens. The removal of part of the stone planter in the north west corner of the site is strongly supported by officers. The planter currently limits clear and direct access into Victoria Gardens through this area therefore the partial removal will increase visibility and permeability into Victoria Gardens.
- **The need for further details to be provided on the proposed benches and street furniture; that there should be a move away from stainless steel seating; that the benches should be comfortable and that replica art deco seats could be considered as a replacement for the original art deco benches which had been removed some years ago.** Further discussions are on going regarding the designs of the seating and bins. A design to reflect the character of the earlier benches is being examined and designs will be presented at Panel.
- **Whether consideration should be given to siting the War Memorial centrally within the site, with mixed views on the appropriateness of this.** The relocation of the War Memorial toward the centre of Victoria Gardens would impact upon the use of Victoria Gardens as an event space. After public consultation Groundwork concluded that the War Memorial should remain in its current position, this is supported by officers.
- **Concern at the loss of the flowering trees along The Headrow and that they provided much needed colour in the area.** As highlighted in the previous panel report the majority of the existing trees along the Calverley Street and Headrow frontages were considered to be of poor vigour with removal being the recommended course of action. As stated below, the proposed trees are highly tolerable of urban conditions and therefore considered appropriate for this location. 2768 bulbs including early flowering snow drops and later flowering crocus will be placed in the stone planters. These species grow particularly well in grass and the bulbs would provide a subtle but significant amount of colour early in the season before the trees come into full leaf. The species of trees chosen create a significant amount of colour in the canopy but also at a later date in the stem as the trees mature. Following consultation with LCC events department Groundwork did not promote other flowering plants in the planters as concern was raised over the damage that will inevitably occur to any plants within this area during day to day activities but particularly during busy events held in Victoria Gardens. The use of intense flowering pot plants within this space could also make it look dated. The above are some of the reasons for specifying the high quality turf whilst the other is the significant impact it will have towards creating a high quality Civic space. Up lighters will illuminate the trees at night and off site tree planting will be provided by Parks and Countryside adjacent to the Civic Hall to replace the flowering trees.

- **The information in the report which stated that the existing trees were not suitable due to the pollution levels and in time, they would need to be replaced.** The previous panel report did not state the existing trees were a particularly unsuitable species for this urban location but did state the proposed London Plane trees had been selected because they had proven to be a hardy species that can thrive in urban environments.
- **The suitability of London Plane trees; their vigorous growth and their need for high level maintenance, particularly due to the manicured form which was being proposed.** As stated above, the London Plane tree are appropriate for this urban environment and can be seen to be thriving elsewhere in the city centre. A maintenance plan has been prepared by Groundwork that can be followed by those maintaining Victoria Gardens. To retain their form the trees need pruning at least once a year, the Chief Recreation Officer has acknowledged this requirement and can accommodate it in the budget for the maintenance of the space.
- **That currently there were 16 trees in the planters; that these would be replaced by 26 trees and that unless their growth was carefully managed, the end result could be a dense hedge which could impact on views of the buildings behind them.** See points above. The maintenance plan will ensure the trees are appropriately pruned. There are wide spaces in between the planters of approximately 9m therefore views of the Civic buildings will be retained. The 2.5m clear stem to the London Plane trees will also permit clear views from street level. The sculptured trees are considered to provide an appropriate artistic setting to the Art Gallery and Henry Moore Institute.
- **That London Plane trees were not evergreen and so for several months of the year would appear as bare branches.** The trees will retain the sculptured form and will still be up light during the winter. The bulbs and high quality grass will provide colour before the trees come into full leaf and the stem to the trees will provide colour as they mature.
- **The need for a maintenance agreement with Recreation Services to ensure the trees would be maintained as shown on the drawings presented to Panel.** A maintenance plan has been submitted and agreed. This plan has been accepted by the Chief Recreation Officer and can be accommodated in the maintenance budget for Victoria Gardens.
- **Whether the shape proposed for the trees was the most suitable.** The 3m x 4m canopy is considered to be of sufficient scale to give the trees prominence and provide shade whilst still maintaining views of the Civic buildings. As stated above, the 2.5m clear stem will ensure views remain from street level whilst the sculptural form is considered appropriate for landscaping in front of the Art Gallery and Henry Moore Institute. Following comments at the August 19th Panel some of the proposed trees on the corners of the site and at the ends of the planters will have further pruning to remove the square edge. In these locations the trees will be chamfered to soften their appearance and continue the 'Art Deco' motif.
- **The need for colour to be included within the scheme in addition to the under planting with bulbs and light treatment.** The issue regarding the colour provided by the scheme has been addressed above.

- **That ideally the area outside the Town Hall would benefit from being included in the proposals, but an acceptance that the funding could not include this area.** The budget could only provide for the refurbishment of Victoria Gardens.
- **That the interest shown by Marks and Spencer to commemorate their beginnings in Leeds was welcomed.** Information panels on the sides of the planters have already been approved under the applications for signage at Victoria Gardens and the Civic buildings (09/04249/LA and 09/04250/LA), comment regarding Mr Marks and Marks and Spencer's success and involvement in the city will be incorporated into the information panels.

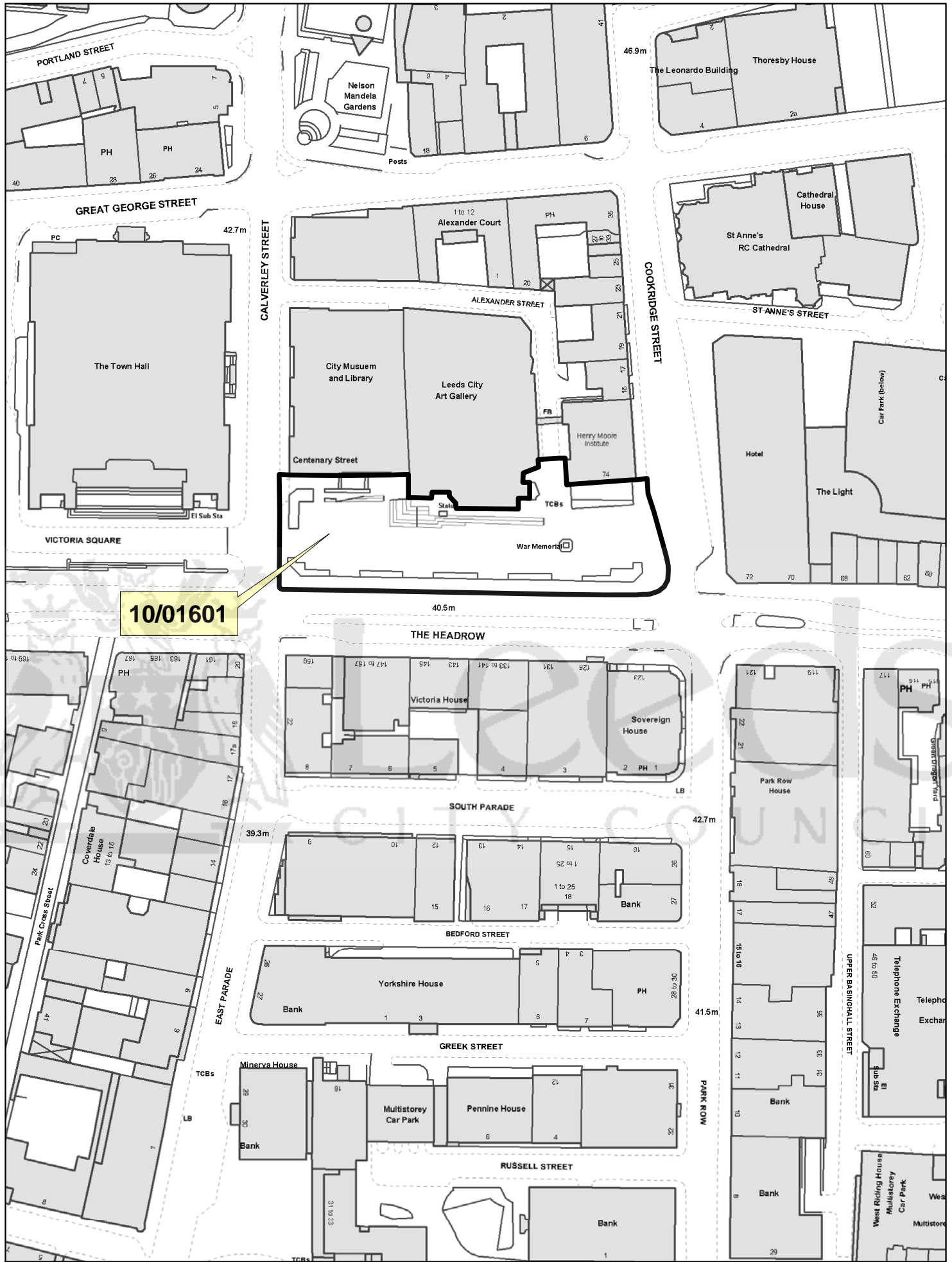
11.0 CONCLUSION

- 11.1 The proposed refurbishment of this important, but tired, Civic space will significantly enhance the surfacing and other fixtures and features within Victoria Gardens to provide an area that can be enjoyed and accessed by all. The removal of the mixed variety of trees will permit the introduction of more trees of a common species and formal appearance and layout to clearly define the space and provide a sculptural setting to the Art Gallery and Henry Moore Institute. Members are requested to approve the scheme subject to the conditions above.

Background Papers:

Application file 10/01601/FU.

Notice has been served on Leeds City Council



10/01601

CITY CENTRE PANEL

