



## Report of the Chief Planning Officer

### *PLANS PANEL CITY CENTRE*

Date: 14<sup>th</sup> October 2010

**Subject: APPLICATION 08/05440/FU – 5 STOREY 78 BEDROOM HOTEL AT GLOBE ROAD/WATER LANE, HOLBECK, LS11 5QG**

<b>APPLICANT</b>	<b>DATE VALID</b>	<b>TARGET DATE</b>
Anthony Spencer and Richard Roe	2/10/08	1/1/09

#### **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 the application in principle and DEFER and DELEGATE final approval to the Chief Planning Officer for approval, subject to the specified conditions and following completion of a Section 106 Agreement to cover the following matters:**

- Public transport contribution of £119,276.
- Holbeck Urban Village (HUV) public realm contribution of £322,050.
- Travel Plan with monitoring fee of £2,500.
- 24 hour public access along the north-south pedestrian route and access between 0700-2300 hours along the Hol Beck walkway.
- Off site highway works (the closure of redundant vehicular access points, introduction of a service/drop off lay-by and Traffic Regulation Order (TRO contribution).
- Restriction of period of stay in the hotel to be no more than 3 months and for the hotel to remain as one planning unit to ensure the hotel does not revert to a residential use that would be liable to affordable housing obligations.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service that seeks to employ local people in both pre and post construction phases.
- £600 monitoring fee for each of the public transport and HUV contributions

and off site highway works.

**In the circumstances where the Sec.106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.**

### **Conditions**

1. Standard time limit.
2. Samples of surfacing materials to be submitted.
3. Sample panel of all external materials to be approved.
4. Boundary treatments to be approved.
5. Prevention of mud/grit/dust nuisance during construction works.
6. Full details of hard/soft landscaping to be submitted.
7. Implementation of landscaping.
8. Details of external vents, flue pipes etc.
9. Delivery hours to be between 0700-2300.
10. Provision for storage and collection of litter and servicing arrangements.
11. Noise attenuation measures.
12. Details of construction management measures including contractors' cabins and parking, location of site hoardings to protect passing pedestrians, contractors' vehicle routes to and from the site, times of day during which construction can take place and location of construction access.
13. Provision of Flood Risk mitigation measures in accordance with the approved flood risk assessment (to include minimum ground floor levels, construction methods and evacuation procedures).
14. Provision of typical 1:20 detailed elevations for material joints, windows, entrances, eaves, reveals, soffits and the proposed roof top plant.
15. Details of any external lighting scheme to Hol Beck, public spaces and building.
16. Provision of satisfactory disabled access to the site and buildings.
17. Standard Yorkshire Water and Mains Drainage conditions.
18. Requirement to meet BREEAM excellent.
19. All redundant access points be reinstated as footway.
20. Standard land contamination conditions.
21. Any designated off-site parking to be agreed.
22. Details of short and long stay cycle parking.
23. Provision of a grease trap to the kitchen area.

**Reasons for approval:** The application is considered to comply with policies GP5, GP11, GP12, BD2, BD4, BD5, T2, T5, T6, T24, A4, SA9, SP8, CC11, CC27, S1, BC7, N12, N13, N19 and N25 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy September 2000, Public Transport Improvements and Developer Contributions 2008, Sustainable Development Design Guide 1998, Holbeck Urban Village (HUV) Revised Planning Framework (2006), PPS1, 'General Policies and Guidance', PPS4 'Planning for Sustainable Economic Growth', PPG13 'Transport' and, having regard to all other material considerations.

A full list of draft conditions can be found at Appendix 1.

## **1.0 INTRODUCTION:**

- 1.1 This application was brought to the 22<sup>nd</sup> July 2010 Plans Panel because it is a significant major application, which has been the subject of lengthy officer negotiations and because the site closely relates to an outline application for a much

larger scheme within Holbeck Urban Village (HUV). At the Panel, Members raised a number of queries including ones relating to design, disabled access, the Travel Plan measures and public transport links. These issues are discussed in detail below.

1.2 The application proposes a five storey 78 bedroom hotel on the corner of Globe Road and Water Lane.

1.3 Members resolved to approve an office development of a similar scale on the adjacent site to the west at the September 11<sup>th</sup> 2008 Panel, this application is yet to be formally determined for reasons outlined in more detail below.

## **2.0 PROPOSAL:**

2.1 Approval is sought for a five storey 78 bedroom hotel on the corner of Globe Road and Water Lane.

2.2 The 78 bedrooms are spread across floors 1-4 and consist of solely double rooms. The ground floor includes the reception, a bar/restaurant, gym, plus servicing and back of house facilities. There is a plant room within the centre of the roof and roof terrace to the western edge of the building.

2.3 The building follows the shape of this triangular site abutting the Globe Road footway to the north but being set in from the Globe Road/Water Lane junction to the east, Hol Beck to the south and site boundary with the adjacent development site in the west to provide a walkway around the building and alongside Hol Beck.

2.4 The building is finished in a mixed palette of red and brown brick and zinc panels. The plant room is also clad in the zinc. The windows would have metal frames and be recessed behind the primary brick façade. At ground floor full height glazing dominates with the large glazed section separated by brick columns.

2.5 The building is designed sustainably through its orientation, window layout and depth of rooms to maximise light but avoid excessive solar gain in summer. In addition specific sustainability measures to be delivered include a brown/eco roof, nesting boxes for bats and birds and 8 solar panels to be used for the hot water system. Full details of the eco-roof will be agreed by condition. However, information submitted with the application indicates how materials such as crushed aggregate, dune sand, sedum and railway sleepers will be placed on the roof to attract plant growth and insects and therefore provide as a feeding site for insectivorous birds. A water attenuation tank will be located under the building, that in addition to the eco-roof, will reduce run-off into Hol Beck during storm events by 20%.

2.6 Prior to the Council introducing substantive highway works into Holbeck Urban Village, this development will carry out interim highway works that will include closing off the redundant vehicular access points and introducing a new lay-by to serve the hotel. There is no parking within the site.

2.7 The application is supported by the following documents:

- Design and Access Statement.
- Planning Statement.
- PPS25 Sequential and Exceptions Test.
- Flood Risk Assessment (FRA).

- Travel Plan (TP).
- Environmental Site Assessment.
- Contaminated Land Report.
- Transport Assessment (TA).
- Transport Statement.
- Sustainability Report.
- Environmental Noise Assessment.
- Noise Assessment.
- Acoustic Assessment.
- Atmospheric Dispersion Modelling Assessment.
- Biodiversity Objectives Statement.

### **3 SITE AND SURROUNDINGS:**

- 3.1 The application site is located within the designated Holbeck Urban Village Planning Framework Area. It is a triangular site located at the junction of Globe Road and Water Lane, Hol Beck bounds the south of the site. The site is presently used for unauthorised long stay surface car parking.
- 3.2 The site is within the Holbeck Conservation Area and within close proximity to a number of grade II and II\* listed buildings including the Italianate towers within the Towers Works site to the north.
- 3.3 The site formed part of the extensive Holbeck Estates landholdings in the area that include the adjoining site to the west and other land across Globe Road to the north west. Since submitting this application and other planning applications in the area Holbeck Estates have gone into receiverships. The receivers are now seeking to progress the applications to determination before looking to sell the land to a new developer.
- 3.4 Enforcement action is being taken against the unauthorised long stay car park on the site; this action is currently subject to an appeal.

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

- 4.1 Outline permission (ref: 20/245/05/OT) was granted for a major development on a 1.24 hectare site to the west of the application site and on land to the northern side of Globe Road. This application consisted of the demolition of an existing building and erection of a mixed use development of 42,977m<sup>2</sup>. (gross) comprising hotel, office use, residential use and active ground floor uses (class A2, A3, A4, A5, D1 and D2) with basement car parking. This was granted in December 2006.
- 4.2 Application 09/05209/EXT was submitted in December 2009 and seeks to extend the time limit for the major outline application referenced above. This application is currently under consideration.
- 4.3 Application 08/03808/FU relates to the adjacent site to the west and is a full planning application for a part 5 part 6 storey office building with ground floor active uses and basement parking. This application is by the same applicant and was deferred and delegated for approval at the 11<sup>th</sup> September 2008 panel. Since this date officers have been addressing the flooding issues with the Environment Agency, temporary highway works and the S106. These issues are now largely addressed and a decision expected to be issued shortly.

## 5.0 HISTORY OF NEGOTIATIONS:

5.1 Discussions regarding the development of land at and surrounding the application site previously owned by Holbeck Estates Ltd have been ongoing for a number of years and began prior to the first submission of the major outline application 20/245/05/OT in June 2005.

5.2 The application was presented to the 22/7/10 Panel and the following queries were raised (**in bold**), a response to each matter is provided.

- **The hotel and the market this would be aimed at.** The hotel layout provides solely double rooms with a mix of standard, enhanced and accessible rooms. The rooms are of quite a generous size to accommodate some small living areas with a sofa(s), desk and TV. The exact type of hotel is not known at this stage as the planning application is being progressed by the receivers therefore the site is likely to be sold on to another developer/hotel operator.
- **Whether guests would arrive predominantly by public transport.** The parking, public transport and travel plan issues are considered in detail in the appraisal section below.
- **That some doors appeared to open inwards and whether that was contrary to fire regulations.** Fire doors are required to open outwards but non-fire doors can open inwards.
- **The possibility of a café/bar use at the corner of the development; whether this would be in addition to the hotel bar and whether such a use could be sustained in view of the number of café/bars in the surrounding area, none of which seemed to be full.** To accommodate the change to the location of the entrance to the hotel, as requested by Members, there is no longer a separate corner use proposed.
- **Policy BC7 relating to use of local materials in Conservation Areas; that there did not appear to be much copper in the area around the site and how this policy requirement could be seen to have been met.** The copper coloured aluminium has been replaced with zinc as recommended by the Civic Architect at the 22/7/10 Panel. This material is considered to be more subtle and appropriate to this setting.
- **Policy N19 relating to the need for new development within or adjoining a Conservation Area to preserve/enhance the character and appearance of the Conservation Area and concerns that the use of copper in the scheme did not do this.** The copper coloured aluminium has been removed.
- **The metal ribbons at the entrance, with mixed views as to the overall success of this feature.** The ribbons have been removed.
- **The siting of the entrance on the west elevation; that this was not the most prominent position for it; that this could account for the need to highlight its position by using the metal ribbon feature and that moving the entrance to the front of the building in the area designated for the active unit would be more acceptable.** The hotel entrance has been relocated to the front of the building as requested.
- **Concerns at the lack of access to public transport in view of there being no bus routes in the area and the proposals for the southern railway station access having been halted.** The parking, public transport and travel plan issues are considered in detail in the appraisal section below.
- **The proposed drop-off point on the north side; whether this catered for people with disabilities and that the drop off point was too far from the entrance both for people with mobility problems and guests with heavy luggage.** The lay-by would cater for people with disabilities. The main

entrance is now adjacent to the lay-by. A condition requires full details of how people with disabilities access the site and building.

- **The travel plan; that no parking was being made available in the scheme either for staff or guests; the need to understand how this would be enforced; the specific detail on this issue in the travel plan; that it needed to be robust and that Members needed to understand this aspect of the scheme.** The parking, public transport and travel plan issues are considered in detail in the appraisal section below.
- **That it was unreasonable and unrealistic to think that people using the hotel in the way that was envisaged, i.e. up to 3 months at a time, would not use a car and require parking.** The exact type of hotel is not known at this stage as the planning application is being progressed by the receivers therefore the site is likely to be sold on to another developer/hotel operator. The three month restriction on periods of stay is an approach agreed with affordable housing and legal officers to ensure the units do not become permanent residential units that would have triggered an affordable housing contribution.
- **That the site was not near local transport, nor located centrally so there was a likelihood of guests parking their cars in nearby communities and what measures would be put in place to prevent this from occurring.** The parking, public transport and travel plan issues are considered in detail in the appraisal section below.
- **The possibility of the accommodation being sold off individually as flats and how this could be prevented.** The S106 requires the hotel stays as one planning unit and limits stays to no more than 3 months.
- **The need for an explanation of 'reasonable endeavours' in terms of the S106 requirement.** This is a common phrase used in S106 and commercial agreements. The use of reasonable endeavours has been defined by reference to an objective standard of what an ordinary competent person might do in the same circumstances. Reasonable endeavours do not require the taking of an action insofar as it disadvantages the party under the obligation. In this instance the standard S106 clause is included that requires the applicant to 'use its reasonable endeavours to co-operate and work closely with Leeds City Council Jobs and Skills Service with respect to the provision of employment and training opportunities arising from the construction of the Development' and seeks the use of local contractors and subcontractors.
- **That the building was fairly innocuous but that it did not make a statement and that at the Water Lane/Globe Road junction, it would probably be the Giotto Tower which was noticed more than the corner of the hotel building.** The design of the buildings has been significantly improved in response to Members' comments. However, the proposal is expected to have a subtle and complimentary impact on the streetscene to ensure the prominence of the Italianate towers is protected.
- **That the relationship between the stone wall around Hol Beck and the brick of the building was uneasy and that some stone detailing should be introduced at ground level to help with the transition.** Stone detailing has been added to all sides at ground level.
- **The copper effect trim, mixed views as to its success in the scheme and concerns that if this was to be used, it should be real copper as the proposed material was not of a high enough quality.** The copper aluminium has been removed and replaced by perforated zinc panels as discussed at Panel.
- **That from the images shown, Members were unable to fully see the detailing of the building which gave the impression that the elevations**

were flat, leading to concerns at the overall effect of the building. Section drawings will be shown again. The design of the building has been amended to ensure there are three clearly defined planes to the elevations with prominent vertical piers, recessed brick panels and windows in a further recess.

- **The siting of the photovoltaic cells and that it would be more effective to put them on the plant room.** The solar thermal panels are now located in the plant area.
- **Concerns at the siting of the plant room and that a straight-line roof was needed.** With the exception of the lift overrun and four protruding flues, the plant room roof is flat. Site sections show that due to the parapet and level of the plant room, the plant room is not visible from Water Lane or Globe Road. Any limited views from streets farther away and nearby buildings are not considered to cause harm due to the grey finish to the zinc cladding and prominence of other buildings and towers in the area.

## 6.0 PUBLIC/LOCAL RESPONSE:

6.1 An advert was placed in the Leeds Weekly News on 23/10/08 and site notices were erected around the site on 10/10/08.

6.2 Leeds Civic Trust commented on the scheme in a letter dated 23/10/08. The Civic Trust state that the proposed use and scale of development is acceptable. However, it is considered that the design fails to add distinctiveness or diversity to Holbeck Urban Village (HUV) and good examples of buildings that mark a corner site can be found elsewhere in the city centre. The artist's impression implies curved sides to the building but this is not evident on the plans. There is little activity in the ground floor. The extensive glass to ground floor with solid structure above reverses the historic pattern of the area. The application fails to include proper signage. *Response: The design of the building and issues regarding the ground floor activity are discussed in detail below. Details of signage would be the subject of future applications for advertisement consent where appropriate. However, signage zones have been indicated within some of the glazing panels above entrance doors. The signage zones appear acceptable in principle and it is considered that the indicative locations reflect the design and function of the building; it is considered there is also scope for signs elsewhere on the building. Full details will be considered with any future advert consent application.*

## 7.0 CONSULTATIONS RESPONSES:

7.1 **Statutory:**

7.2 **British Waterways:** No objection.

7.3 **English Heritage:** Holbeck is an important conservation area and the proposed design is an appropriate modern design response to the site's historic context. EH have been involved in extensive pre-application discussions and consider the proposals enhance the conservation area and respect the setting of adjacent listed buildings.

7.4 **Environment Agency:** No objection subject to conditions requiring the details of construction methods adjacent to Hol Beck and evacuation procedures.

- 7.5 Non-statutory:**
- 7.6 Highways:** No objection to the revised ground floor layout showing all necessary doors opening inwards. It is acceptable to have no parking allocated to the hotel use. The interim highway works plan is acceptable.
- 7.7 Public Transport Officer:** A contribution of £119,276 should be sought in accordance with the supplementary planning guidance.
- 7.8 Mains Drainage:** No objection subject to conditions.
- 7.9 Highways Agency:** No objection.
- 7.10 Contaminated Land Team:** Conditions recommended.
- 7.11 West Yorkshire Police Architectural Liaison Officer:** Appropriate glazing and street furniture should be considered to reduce the potential terrorist threat/impact. *Response: The type of glazing will be examined in more detail via building regulations applications and street furniture will be considered via the hard landscaping condition.*
- 7.12 Transport Policy:** The Travel Plan is acceptable.
- 7.13 Access:** 5% of the total parking should be designated as parking for disabled motorists. Level access is required through the principal entrances and minimum door widths required. Glazing manifestations are required. *Response: Parking is not proposed on the site but disabled parking requirements will be provided on any off site parking agreed at a later stage. All other requirements are met by the proposals.*
- 7.14 Neighbourhoods and Housing:** Following the submission of additional acoustic reports, no objection.
- 7.15 Licensing:** A license would be required under the 2003 Licensing Act, nearby residents amenity would need to be considered.
- 7.16 City Services:** The refuse collection arrangements are acceptable.
- 7.17 West Yorkshire Archaeological Service:** There are no apparent archaeological implications attached to the proposed development.
- 7.18 Metro:** There are public transport services in the area and a contribution in accordance with the supplementary guidance should be sought. The majority of patrons will arrive by train with some also arriving by bus and the developer should enable improvements to the bus services. Metro support the provision of car club spaces. Real time information regarding public transport services should be made available and travel plan penalties should be included. *Response: The developer will be required to contribute to public transport improvements that could be used to enable local improvements to services. Public transport timetables will be made available as required by the Travel Plan. The Travel Plan also allows for the introduction of further agreed measures if targets are not being met and/or financial penalties as determined following the regular reviews of the Travel Plan.*



## **8.0 PLANNING POLICIES:**

### **8.1 Development Plan Policies**

**8.2 Unitary Development Plan (Review 2006) (UDPR):** The site is located within planning proposal area 31A, Holbeck Urban Village, Holbeck Conservation Area and there are a number of listed buildings in close proximity. 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.

**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.

**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.

**CC11:** Enhancement of pedestrian routes.

**CC27:** Proposal areas within the City Centre.

**S1:** The role of the CC as the regional centre will be promoted.

**BC7:** Use of local materials in Conservation Areas

**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.

**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.

### **8.3 Relevant Supplementary Planning Guidance.**

**8.4 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.

**8.5 Holbeck Urban Village (HUV) Revised Planning Framework (2006):** The framework encourages buildings that respect key views of the towers on Tower Works and would enhance pedestrian permeability through the area. It indicates development of about 4 to 5 storeys as appropriate on the site.

**8.6 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.

8.7 **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.

8.8 **National Planning Guidance**

8.9 PPS1 General Policies and Principles  
PPS4 Planning for Sustainable Economic Growth  
PPG13 Transport

## 9.0 **MAIN ISSUES**

- Principle of development and uses.
- Layout, scale, form and design and the impact on the Conservation Area (CA) and listed buildings.
- Highways issues.
- Sustainability.
- Section 106.

## 10.0 **APPRAISAL**

### 10.1 **Principle of development and uses.**

10.2 The site ('plot 5') is previously developed land and the proposed hotel use is an appropriate town centre use therefore the principle of development is in accordance with the national planning policy agenda of sustainable economic development. The development of a hotel on this site is compliant with the principles and objectives of the adopted Holbeck Urban Village (HUV) Revised Planning Framework that seeks a mix of uses in the area with active uses to ground floors and elements of public space and flows from UDPR policy CC27 (area 31A).

10.3 The hotel development includes ancillary gym, reception and bar/restaurant facilities at ground floor plus other service type uses. The hotel active areas would extend to over 75% of the frontage and is therefore considered to generate sufficient interest and activity in the ground floor of the building, in addition to the building design, to ensure the ground floor uses of the building has a positive impact on the streetscene.

### 10.4 **Layout, scale, form and design and the impact on the Conservation Area (CA) and listed buildings.**

10.5 The application site is located within 'Area Statement 2. Tower Works' of the HUV Framework. Following detailed studies of the historic and current character of the area, the Framework promotes a number of aims for developments in the area to ensure proposals are appropriate in the context of the CA and listed buildings and improve connectivity within the area. The site layout of this individual plot has been developed in accordance with the wider masterplan for the former Holbeck Estates sites that in turn has followed the aspirations of the HUV Framework.

10.6 The site is a triangular site bounded by Globe Road to the north and Hol Beck and Water Lane to the south, these roads meet at the eastern edge of the site where the site narrows. The building form follows the site boundaries and therefore results in a building with an interesting triangular footprint that follows the historic street pattern

but with a curved finish to the eastern edge. The building is to the back edge of the footway to Globe Road, another historic precedent, but importantly, it is set in from the east, south and western boundaries to ensure footways can be introduced to meet the connectivity aspirations of the HUV Framework. A new walkway is introduced adjacent to Hol Beck that will significantly increase the visibility of the beck, a key aspiration of the HUV Framework. This walkway will link into a similar walkway proposed at the site to the west (known as plot 4B, planning reference 08/03808/FU). The space remaining adjacent to the hotel bar/restaurant at the western end of the building will directly link with the open space agreed for plot 4B and therefore assist in delivering a wide north-south pedestrian connection from Water Lane to Globe Road and therefore linking the Round Foundry and Tower Works.

- 10.7 The site layout is also strongly influenced by the key views of the prominent listed buildings in the area, primarily the Italianate towers within Towers Works. The masterplan for the former Holbeck Estates land acknowledged these key views and therefore plot 5, the application site, was set out in accordance with this masterplan. Views of the Italianate towers are protected from both the east and west of the site and with the adjacent building on plot 4B, frames a view of the Giotto Tower from Water Lane.
- 10.8 The site forms part of a masterplan that delivers significant open spaces in addition to the enhanced connections discussed in 10.6 above. The space to the west of the building is delivered as a shared space with plot 4B.
- 10.9 The proposed building is 5 storeys in height with a further storey providing a plant room in the centre of the roof. The scale of the building has been determined by the historic context and further ensures key views of the Italianate Towers are retained. The scale is comparable with the Tower Works approval and building approved by Panel for the adjacent site, plot 4B, to the west.
- 10.10 The scale of 5 storeys is greater than the four storeys promoted by the HUV Framework. However, the hotel floor to ceiling heights is just three metres therefore the overall scale of the proposal is lower than a 4 storey office building of typical 4m floor to ceiling heights.
- 10.11 The scale of the development is considered to respect the scale of existing and proposed buildings in the CA and fully respect the setting and key views of the listed buildings and complies with the aims of the HUV Framework. An acceptable scale for the site was determined following a number of workshops with officers, English Heritage and the Civic Trust.
- 10.12 The HUV Framework seeks buildings to be of good contemporary architecture whilst reinforcing the special character of the CA, the buildings should be in traditional materials such as red brick.
- 10.13 A number of changes have been made to the building design and layout to reflect the comments made at Panel. These include:
  - The removal of the copper coloured aluminium cladding and wavy ribbons. Perforated zinc panels are now proposed at fascia level and to clad the plant room. Zinc was recommended at the last Panel and is considered to be a more subtle material complimentary to the some of the materials already in use in the area.

- The introduction of stone to the lower section of the brick piers, stall risers and roof parapet to respect traditional materials in the area, particularly the stone wall to Hol Beck.
- A uniform window size, type and pattern to the side elevations and an alignment of the windows in the bullnose to give the building a more uniform and traditional appearance.
- A refinement of the elevations to prevent them looking flat. Three planes have been clearly identified on the elevations, the vertical piers being the primary plane, recessed brick panels in the secondary plane and a further recess to the windows.
- A refinement to the parapet with a projecting element in natural stone.
- The relocation of the solar panels into the plant area to reduce the potential for viewing the panels and permit more roof space to be occupied by the 'eco-roof'.
- The removal of the ground floor 'active' unit and relocation of the hotel entrance to the bullnose. The hotel entrance is now much more prominent and will be located adjacent to the lay-by therefore making it easier for people with disabilities and heavy luggage to enter the hotel.

10.14 The architecture of the building has responded to Members' comments and accords with the aims of the HUV Planning Framework and proposes a simple and low key approach so as not to appear dominant over the listed structures to either side. A blend of traditional brick with punched windows reflects the historic precedents in the area. The ground floor is primarily glazed to increase activity and there are thick brick columns with stone 'feet' that project through to the ground to ensure the building does not appear lightweight or top heavy but retains its traditional feel.

10.15 Samples of the proposed materials will be made available at panel.

10.16 The proposed scale, form, layout and design of the building are considered to respect the buildings location within the Holbeck CA, setting of the listed buildings and responds to the issues raised at the 22<sup>nd</sup> July Panel. The site fully accords with connectivity aspirations and will introduce a building of quality design to this prominent corner site.

### **10.17 Highways Issues**

10.18 Parking, public transport and travel plan issues were raised at the 22<sup>nd</sup> July Panel and are discussed in detail below.

10.19 The basement of the adjacent plot 4B was originally intended to deliver 23 parking spaces for the proposed hotel at plot 5. However, since the original applicant went into receivership it is possible that plots 4B and 5 will be sold individually and delivered by separate developers. As such, the parking under plot 4B cannot be allocated to plot 5 and there is no dedicated parking to the hotel. This is considered acceptable for the reasons outlined below.

10.20 UDPR policy: The UDPR parking policies and guidelines do not require a minimum level of car parking provision, particularly where sites have good access to public transport and the lack of car parking provision would not result in adverse highway conditions (as discussed below). The site is located within the Core Car Parking Policy Area that seeks a low maximum parking provision. Furthermore, the HUV Framework seeks to reduce the reliance on car use and recognises that some uses may be developed with no car parking provision.

- 10.21 Local traffic regulation orders: The surrounding streets incorporate double yellow lines, metered parking bays and loading restrictions. Historically there has been very little unauthorised on-street parking therefore it is considered that the controls in place are effective. The development will include a service, drop-off lay-by adjacent to the hotel and both temporary and permanent highway works include similar parking restrictions to those currently in place therefore the proposed development should not create on-street parking problems.
- 10.22 Site location and access to public transport: The site is located within the defined UDPR City Centre and national planning policy defines hotels as an appropriate town centre use. The site is also within HUV that is intended to be developed as a sustainable community with an urban village character including a mix of living, working and recreational opportunities. The provision of a hotel within HUV will assist in achieving this aim of a mix of uses. The site is already adjacent to a number of businesses, residential accommodation and other leisure uses.
- 10.23 As stated in the consultation response from Metro, 'the site benefits from a number of public transport services which access the city via Victoria Road and Neville Street'. Victoria Street is just 300m (4 minutes walk) from the site and the train station a further 300m (4 mins). Access to the station would be enhanced with the introduction of the southern access and it is considered that there are a significant number of bus services available within close proximity on Victoria Street to serve the development. The HUV Framework also seeks to improve bus facilities through HUV, the delivery of improved services would be expected on the back of further development.
- 10.24 Local parking provision: At present, on street parking bays are located adjacent to the site that would provide short stay parking during the day but with greater potential for overnight stays. However, many of these bays would be removed if the Council carries out the major highway improvement works proposed throughout Hol Beck. There is further car parking currently available nearby between the Tower Works site and the canal.
- 10.25 Whilst the site and surrounding area might appear to be away from (authorised) public car parks, the HUV Framework seeks the introduction of a multi-storey car park into HUV to provide for short stay parking and to accommodate contract parking that cannot be accommodated on individual development sites. Members approved a multi-storey car park on Sweet Street on 29<sup>th</sup> April 2010 which would provide the parking for new developments in HUV where parking had not been included on site. If, in the future, the hotel developer sought off-site park, it could be accommodated in this multi-storey car park.
- 10.26 Type of hotel operator: The application is being progressed by receivers and there is not a hotel operator signed up to develop this site therefore the exact type of hotel is not known. Hotels deal with car parking in different ways, depending upon the type of operator, with some budget hotels indicating in their promotional information the location of nearby car parks; others have arrangements with car parks to provide parking for guests whilst some high class hotels provided a valet service. It is considered all these options can be provided for at this site. Many successful city centre hotels do not have on-site parking allocations including the Park Plaza and Golden Lion.
- 10.27 It is ultimately the patrons' choice as to whether they stay at a hotel that has no parking, to some this location with no parking may be ideal.

10.28 Travel Plan (TP):

10.29 A TP has been the subject of detailed discussions with the LCC Travel Planning Co-ordinator and the Highway Agency and is in accordance with adopted policy. The TP requires a designated TP Co-ordinator to operate from the site who will promote non-car modes of transport and ensure all sustainable modes of transport are promoted and utilised by staff and visitors. TP targets will be identified following the initial 3 month survey and if these targets are not met further restrictive measures will be introduced as agreed between the TP co-ordinator and LCC.

10.30 Having established the objectives for the Travel Plan, identifying the roles of people who will work at the site and establishing current modes of transport currently in use around the site, the document illustrates how travel behaviours will be identified and the measures that will be adopted to achieve the established objectives.

10.31 The Travel Plan measures include:

- Introduction of a Travel Plan Co-ordinator 6 months prior to occupation and for at least five years after full occupation to promote the TP measures, distribute welcome packs, conduct travel surveys/gather information and co-ordinate with the LCC Travelwise Team. The Travel Plan for this site, plus that for plot 4B and for the larger site that has outline consent all require the Travel Plan Coordinator to be the same person if the sites are developed together to ensure continuity.
- Providing hotel guests with information relating to the site location, location of public transport services, cycle parking facilities, taxi ranks and contacts such as taxis and the car club. Information on local private parking and access from the road network will also be provided.
- Short stay cycle parking (Sheffield stands) will be located adjacent to the main entrance (a condition will also require long stay cycle parking to be identified within the building if the basement of the adjacent unit, plot 4B, is not available as planned by the original developer).
- Ensure delivery of up to two on-street car club spaces (cars that can be hired by the hour/day etc). These spaces will be provided and will include a Sheffield stand nearby for cyclists. The hotel operator will be required to join the City Car Club and enable guests to use the vehicles and pay for them via their hotel bill.
- Carry out a hotel travel survey within three months of occupation and annually thereafter. The results will be discussed with the LCC Travelwise Team and an action plan and targets agreed to ensure further promotion of sustainable modes of transport and reductions in any car use.
- Target no more than 30% of visitors to the hotel by private car.
- An initial target of reducing staff car trips from 26% to 22%. These figures are based on survey data from the LCC 2010 travel to work survey. The target to reduce single occupancy car journeys by staff to 22% is suitably ambitious and reflects the 2010 travel to work survey of businesses and organisations where a travel plan is in place, or they have promoted sustainable travel measures.

10.32 Should the targets not be met, the TP requires more restrictive measures to be agreed and implemented. The TP will also be reviewed as appropriate and any further actions will be identified to progress and if necessary improve the plan to meet the more general objectives.

- 10.33 The TP also makes the developer aware that the council may seek financial penalties for failure to meet travel plan requirements. £50,000-100,000 is usually sought to fund financial penalties and the applicant is aware of this.
- 10.34 It is considered that a robust TP has been agreed that seeks to reduce car usage in line with other similar developments in the city centre and promote more sustainable modes of transport. The TP will be regularly reviewed and monitored in conjunction with the LCC Travelwise Team. The TP is secured by the S106 therefore if the various measures are not implemented the applicant would be in breach of this legal agreement.
- 10.35 It should be noted that the TP for plot 5 also makes reference to the proposed office development at the adjacent site, known as plot 4B. As highlighted in this panel report and previous presentation to Members, this site was to be developed jointly with the hotel proposals at plot 5. However, the developer has gone into receivership therefore the developments may now be carried out separately and consideration of both scenarios (built jointly or built separately) has been taken into account. Motorcycle parking, additional cycle parking, changaloos (staff changing facilities) and car parking would be available under plot 4B if the sites are developed together. It is considered there is the flexibility and control from the existing travel plan for whichever scheme is developed. The Travelwise team have ultimate control via the annual monitoring.
- 10.36 For the reasons outlined above it is considered that the lack of designated car parking for the proposed development is unlikely to have an adverse impact on local amenities and can be accepted in this case.
- 10.37 Despite this, the conditions allow for off-site parking to be agreed at plot 4B or another site in the vicinity if the hotel developer required some parking at a future date. Any off-site parking would need to be allocated in accordance with UDPR maximum guidelines.
- 10.38 As highlighted above, the Council has identified a major highway and public realm improvement scheme for the area. The enhancements in the immediate vicinity of the site include the introduction of a wide footway to the south of Hol Beck on Globe Road and therefore reducing Water Lane to one way only and enhancing visibility of Hol Beck plus the introduction of a lay by on Globe road. It may be many years before the Council can commit to introducing these highway works therefore an interim highway works plan has been agreed that introduces the necessary highway amendments to deliver the proposed hotel without prejudicing the Council works. Such amendments include the closure of redundant vehicular crossovers and the introduction of a service/drop off lay-by. The interim off-site highway works also include the requirement to fund the preparation, processing and implementation of a traffic regulation order to control parking in the proposed lay-by on Globe Road and to amend the existing waiting restrictions on Globe Road and Water Lane where necessary.
- 10.39 Sustainability:**
- 10.40 The building is designed sustainably through its orientation, window layout and depth of rooms to maximise light but avoid excessive solar gain in summer. In addition specific sustainability measures to be delivered include a brown/eco roof, nesting boxes for bats and birds and 8 solar panels to be used for the hot water system. Full details of the eco-roof will be agreed by condition. However, information submitted with the application indicates how materials such as crushed

aggregate, dune sand, sedum and railway sleepers will be placed on the roof to attract plant growth and insects and therefore provide as a feeding site for insectivorous birds. A water attenuation tank will be located under the building, that in addition to the eco-roof, will reduce run-off into Hol Beck during storm events by 20%.

#### **10.41 Section 106**

10.42 The section 106 agreement has been under discussion in recent months and the document is nearing completion. The section 106 will ensure delivery of the following:

- Public transport contribution of £119,276.
- Holbeck Urban Village (HUV) public realm contribution of £322,050.
- Travel Plan with monitoring fee of £2,500.
- 24 hour public access along the north-south pedestrian route and access between 0700-2300 hours along the Hol Beck walkway.
- Off site highway works (the closure of redundant vehicular access points, introduction of a service/drop off lay-by and TRO contribution).
- Restriction of period of stay in the hotel to be no more than 3 months and for the hotel to remain as one planning unit to ensure the hotel does not revert to a residential use that would be liable to affordable housing obligations.
- Commitment to use reasonable endeavours to cooperate with LCC Jobs and Skills Service that seeks to employ local people in both pre and post construction phases.
- £600 monitoring fee for each of the public transport and HUV contributions and off site highway works.

10.43 As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This came in to force on April 6<sup>th</sup> 2010 and will require that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

10.44 There are 7 matters to be covered by the S106, these 7 matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.



## **11.0 CONCLUSION**

- 11.1 The proposed development has been subject to detailed discussions to ensure the proposal complies with the masterplan exercise undertaken for the adjacent sites and fully respects its setting within a conservation area adjacent to many listed buildings. The scale, form and appearance accords with the HUV Framework aspirations for this area and those comments raised at the 22<sup>nd</sup> Jul Panel and is considered to deliver an attractive and interesting building on this important site. The building will have a high sustainability rating and will significantly enhance the visual connectivity with Hol Beck.

### **Background Papers:**

Application file 08/05440/FU.

Certificate of Ownership signed by the original agent on behalf of the original site owner.

The new agent and receivers have no taken control of the application/site.

## APPENDIX 1 – DRAFT CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

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

- 3) No surfacing works shall take place until details and samples of all 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 surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

- 4) Construction of the external finishing materials shall not take place until a sample panel(s) of all external walling and roofing materials (including details of the materials to the louvres, roof arch, windows and doors) have been submitted to and approved in writing by the Local Planning Authority. The panel(s) 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 panel(s) shall clearly show the type, bonding and coursing of the materials. The building shall be constructed in strict accordance with the agreed sample panel(s) which shall not be demolished prior to completion of the development.

In the interests of visual amenity.

- 5) No permanent boundary treatment shall be erected until details of the position, design, materials and type of all walls and/or fences or permanent boundary treatment, whether or not shown to be erected on the approved plans, have been submitted to and approved in writing by the Local Planning Authority. Such boundary treatments shall be erected in accordance with the approved details, before the building is occupied, and shall thereafter be retained and shall not be altered or removed without the written consent of the Local Planning Authority.

In the interests of amenity and visual amenity.

- 6) Construction of the external finishing materials shall not be commenced until detailed drawings (at a scale of no less than 1:20) have been submitted to and agreed in writing by the Local Planning Authority showing the material junctions, windows, entrances, eaves, reveals, soffits.

In the interest of visual amenity.

- 7) The construction of any external finishing materials shall not commence until full details of the siting, design and external appearance of all external plant, flue pipes, external vents, roller shutters, lighting, solar panels or other excrescences to be located on the roof or sides of the building have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented and retained thereafter.

In the interest of amenity.

- 8) No development shall take place until a construction management plan has been submitted to and agreed in writing by the Local Planning Authority. The construction management plan will include details of contractors cabins and parking, location of site hoardings to protect passing pedestrians, contractors vehicle routes to and from the site, location of construction access and provision of pedestrian access during construction, details of the prevention of mud, grit and dust nuisance during construction works, hours of construction and demolition and the minimising of noise during construction. The agreed details shall be adhered to for the duration of site works.

To protect the amenity of the area and in the interests of the free and safe use of the highway.

- 9) No landscaping shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include (a) proposed finished levels and/or contours, (b) means of enclosure, (c) pedestrian access and circulation areas, (d) hard surfacing areas, (e) minor artefacts and structures (eg, furniture, play equipment, refuse or other storage units, signs, lighting etc.), (f) proposed and existing functional services above and below ground (eg. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include (h) planting plans, (i) written specifications (including cultivation and other operations associated with plant and grass establishment), (j) schedules of plants noting species, planting sizes and proposed numbers/densities, (k) implementation programme.

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

- 10) 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.

- 11) Any off-site parking associated with the development hereby approved shall be agreed in writing by the Local Planning Authority prior to the use of that parking.

To ensure compliance with UDP Parking standards.

- 12) The development shall be carried out in accordance with the approved Flood Risk Assessment Addendum, URS Report 49352419/LEERP001 Issue No. 1, and shall incorporate all the proposed mitigation measures into the development including the 2m easement Hol Beck and flood resilience measures detailed in appendix F.

To minimise the impact of flooding.

- 13) No development shall be commenced until a scheme for the provision of an emergency egress and evacuation arrangement in the event of flooding has been submitted to and approved in writing by the Local Planning Authority.

To ensure that a satisfactory contingency plan for emergency access is provided for the development in the event of flooding.

- 14) Notwithstanding details on the approved plans, finished ground-floor levels shall be set no lower than 28m AOD.

To minimise the impact of flooding.

- 15) No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of sustainable drainage techniques, on-site storage from storm events, any balancing works and off-site works and management plans that will accord with Leeds city Council's 'Minimum Development Control Standards for Flood Risk' document, plus details of on site storage for additional run-off from storm events, have been submitted to and agreed in writing by the Local Planning Authority. The works shall be implemented and maintained as thereby agreed.

In the interests of satisfactory sustainable drainage.

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

In the interests of satisfactory drainage.

- 17) There shall be no piped discharge of surface water from the site prior to the completion of the approved surface water drainage works and no buildings shall be occupied prior to the completion of the foul drainage works.

To ensure that the site is properly drained.

- 18) Before development commences details of the proposed treatment of the watercourse in and alongside the site must be submitted to and approved by the Council with the agreed details implemented prior to occupation and retained thereafter.

In compliance with the Leeds Land Drainage By Laws and to ensure that the watercourse is properly dealt with.

- 19) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of construction, i) a Building Research Establishment 'BREEAM' assessment for a target rating of 'Excellent' (along with the associated BRE certificate(s) and scoring sheets for these standards), ii) a recycled material content plan (using the Waste and Resources Programme's (WRAP) Net Waste toolkit), and, iii) details of proposed measures to improve biodiversity at the site (to include consideration of green/brown roofs, swift bricks and bat boxes), and iv) detail of 'real time' information public transport displays, shall be submitted to and approved in writing by the Local Planning Authority, The development shall be carried out in accordance with the detailed scheme; and

(a) 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;

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

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

- 20) Prior to the commencement of development, details of the provisions for disabled access onto the site and into the buildings shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to occupation and retained and maintained as such thereafter.

To ensure satisfactory access for all.

- 21) Details of the proposed methods of closing off and making good the existing access(es) shall be submitted to and approved in writing by the Local Planning Authority before commencement of works on site. The works of closure to the access(es) so approved shall be completed prior to the development hereby approved being brought into use or occupied.

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

- 22) Prior to the commencement of development details of a sound insulation scheme(s) designed in accordance with the measures highlighted in the URS acoustic assessment reference 4935419 and to protect the amenities of the occupants of nearby buildings both during and after construction, and those of the future occupiers of the approved development, shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity.

- 23) The use shall not be brought into operation until a grease trap has been provided on the drainage outlet(s) from the food preparation area(s). 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.

- 24) Prior to the commencement of development full details of the long and short cycle parking plus changing/showering facilities shall be submitted to and approved in writing by the Local Planning Authority with the agreed detail implemented prior to first occupation and maintained thereafter.

To ensure appropriate cycle parking facilities are provided and in the interests of promoting sustainable modes of travel.

- 25) Prior to the commencement of development 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 before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling.

- 26) Prior to first occupation details of the external lighting of the Hol Beck, public spaces and buildings shall be submitted to and agreed in writing by the Local Planning Authority. The agreed works shall be implemented before the buildings are occupied.

In the interests of amenity.

- 27) Before development commences full details of the interim and/or permanent off-site highway works shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include the following:

- (a) provision of the drop-off layby;
- (b) alterations to the footpath (including stopping up of any redundant vehicle access); and

The works shall be implemented as thereby agreed before the occupation of the development.

In the interests of highway safety and the amenity of future occupiers of the site.

- 28) The hours of delivery to and from the premises, together with loading and unloading within the premises shall be restricted to 0700 hours to 2300 hours Monday to Sunday unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

- 29) 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 remediation works are satisfactory and will make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and Annex 2 of PPS23.

- 30) 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 and Annex 2 of PPS23.

- 31) 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 and Annex 2 of PPS23.

- 32) 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 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, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, GP11, GP12, BD2, BD4, BD5, T2, T5, T6, T24, A4, SA9, SP8, CC11, CC27, S1, BC7, N12, N13, N19, N25

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

**For information:-**

The applicant should be aware that there is an Agreement/Obligation by way of undertaking under Section 106 of the Town and Country Planning Act 1990 affecting this site or that there is likely to be a need to enter into such Agreement/offer an Obligation to discharge the requirements of conditions above.

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](mailto:env.health@leeds.gov.uk) for details

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) Regulations 2007.

This permission does not absolve the applicant(s) 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 Leeds Environment Department, Department of Highways and Transportation (Highways Maintenance and Main Drainage Divisions), and Department of Housing Services; the West Yorkshire Fire Officer or the Health and Safety Executive.

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, e-mail: [entertainment.licensing@leeds.gov.uk/licensing](mailto:entertainment.licensing@leeds.gov.uk/licensing)).

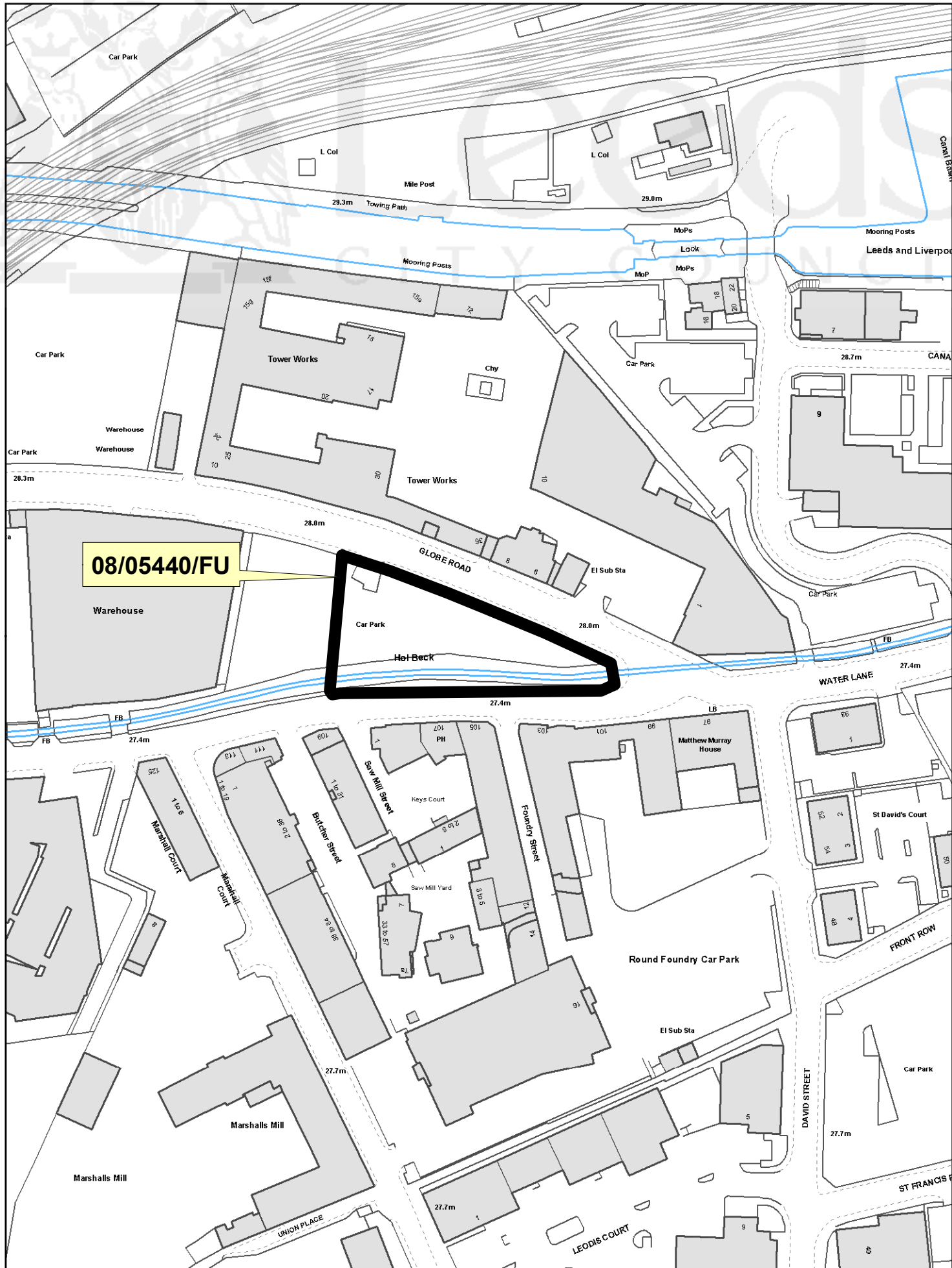
The applicant is advised that remediation of any contaminated site is required to a standard such that the site would be suitable for use pursuant to Annexe 2 of PPS23. This includes the quality of imported soils and soil forming materials. The developer is responsible for ensuring that development is safe and suitable for use for the intended purpose.

All reports addressing land contamination should be compiled in accordance with best practice, taking into account Annexe 2 of PPS23, and DEFRA and the Environment Agency's Contaminated Land Report No.11.

Prior to preparing any reports in compliance with conditions related to land contamination the applicant is also advised to refer to the Leeds City Council guidance leaflets in the series:-  
The Development of Contaminated Sites:  
The Blue Leaflet (CL2) - Reports in Support of Planning Applications  
The Green Leaflet (CL3) - Human Health Quantitative Risk Assessment  
The Yellow Leaflet (CL4) - Residential Development on Land Affected by Contamination



These leaflets can be obtained from the council at the Leonardo Building Reception,  
2 Rossington Street, Leeds, LS2 8HD or from our website  
[www.leeds.gov.uk/contaminatedland](http://www.leeds.gov.uk/contaminatedland) .



# CITY CENTRE PANEL

Scale 1/1500

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