
Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 12th NOVEMBER 2010

Subject: RESERVED MATTERS DETAILS FOR LEEDS ARENA AT SITE BOUNDED BY CLAY PIT LANE / INNER RING ROAD / WADE LANE / JACOB STREET / BRUNSWICK TERRACE, LEEDS (10/04022/RM).

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse

☐ No

Ward Members consulted

Specific Implications For:

Equality and Diversity

☒ Y

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: Grant permission subject to the conditions identified at Appendix 1 of this report and any others which the Chief Planning Officer might consider appropriate.

1.0 INTRODUCTION

- 1.1 Outline planning permission for the arena was granted on 26th March 2010 (reference 09/04815/OT). The permission included detailed approval of the access arrangements including accessibility to, and within the site, for vehicles, cyclists and pedestrians. The scale and location of the building was defined by a series of parameter drawings, supported by a visual impact assessment. The maximum capacity, floorspace and noise criteria for the arena was also identified.
- 1.2 The emerging approach to the detailed design of the building was reviewed at a Plans Panel workshop led by the Civic Architect on 29th April 2010. The pre-application proposals for the arena building and public realm were presented to Plans Panel on 19th August 2010 in conjunction with a period of public consultation.
- 1.3 This Reserved Matters submission seeks approval for the detailed scale and appearance of the building, the site layout and landscaping proposals. Following the

completion of a programme of initial enabling works it is intended to commence construction during February 2011. Construction is planned for a two year period allowing opening late 2012/ early 2013.

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is located on the northern edge of the city centre. It is bounded by Clay Pit Lane to the west, the Inner Ring Road to the north, Wade Lane to the east, and Jacob Street and Brunswick Terrace to the south. The site also abuts Yorkshire Bank offices on the south-western boundary. Elmwood Road dissects the site. In total the area extends to approximately 2 hectares.
- 2.2 The western fringe of the site is located at a local highpoint with ground levels falling towards the north, the city centre and across the site towards the east. The Inner Ring Road sits approximately 6 metres lower than the site beyond a retaining wall.
- 2.3 The site previously accommodated the former Leeds Metropolitan University Brunswick Building which was demolished earlier in the year. The remainder of the site was primarily used for surface car parking until the recent closure of Elmwood Road.
- 2.4 The surrounding area is characterised by a number of large scale buildings, notably the 37 storey Plaza tower on the west side of Clay Pit Lane and the 25 storey Opal Tower at the eastern end of the site, which both contain student accommodation. Tower House and Merrion House on Merrion Way, and Hepworth House on Clay Pit Lane are earlier blocks containing office and educational uses. To the south of the site, Yorkshire Bank, and to the north, the HBOS building are other large buildings.
- 2.5 To the north/north-east of the site the areas of Little London and Lovell Park contain significant areas of housing including accommodation ranging from single storey and low-density buildings to 17 storey tower blocks. There are also areas of open space, including Lovell Park itself.
- 2.6 Queen Square Conservation Area is situated on the west side of Clay Pit Lane.

3.0 PROPOSALS

- 3.1 The application provides full details of site layout, scale and appearance of the arena building and detailed proposals for the landscaping of the site. The application also provides details of a wind tunnel assessment and details of the strategy to provide 10% of the energy supply for the development from renewable or low carbon energy sources in accordance with the outline planning permission. Full details of the conditions attached to the outline planning permission are attached at Appendix 3 for information.
- 3.2 **DESIGN BACKGROUND**
 - 3.2.1 The Reserved Matters application is supported by an updated Design and Access Statement which builds on the principles and parameters identified at outline stage. The building design is informed by the principles and lessons learnt from more than 1000 public entertainment facilities that Populous has designed around the world.

3.3 THE ARENA BUILDING – INTERNAL LAYOUT

- 3.3.1 The arena would be a multi purpose, entertainment focused, facility. The arena facilities are carefully and distinctly arranged to ensure smooth operation of the venue. Consequently, front of house public areas (including entrances, concourse areas and seating) are clearly separated from back of house production, administration and service areas.
- 3.3.2 The diversity of activities and occupancy levels requires a flexible design which can be easily implemented to meet the changing demands. A contemporary and innovative layout is proposed to heighten customer experience. The proposed auditorium design is fan shaped which has a number of advantages:
- A reduced maximum focal length.
 - No redundant seating behind the stage.
 - Every seat directly faces the performance area.
 - Improved acoustic performance.
- 3.3.3 The arena has 12,372 seats with the ability to retract seats to create a maximum capacity of 13,500. The lower bowl would accommodate approximately 7000 seats with 15 rows of retractable seating able to form a large standing area when retracted. The upper bowl would contain around 5300 seats. 24 executive suites with an average capacity for 12 guests are also provided. In the fully seated mode with 110 DDA seats and 110 helper seats the capacity is reduced. The DDA seats are distributed throughout the bowl. Each executive suite can also accommodate disabled spectators and helpers. The facility is flexibly designed to be able to accommodate a range of events from music and family entertainment to sporting events. Configurations for different events are achieved by a series of roof hung partitioning curtains which control the size of the enclosure specific to each type and size of event.
- 3.3.4 The majority of visitors would enter the arena through the main entrance doors. There is no need for turnstiles. Access to the upper levels is gained via staircases and escalators. A stewarded lift provides assistance for disabled visitors to access the upper floors. The main entrance is supplemented by external stairs up to the main concourse level (02) situated on both sides of the building. VIPs (suite holders and premier club members) enter via a dedicated VIP lobby. Access to the suites at level 3 is via a private managed lift.
- 3.3.5 Wide concourses are designed to safely accommodate pedestrian flows. In addition to the restaurant areas on level 1, food, beverage and retail outlets are distributed widely throughout the public concourses. There are public toilets throughout the venue in addition to a changing places toilet at entrance level.
- 3.3.6 Discrete accesses for staff and performers are provided off Brunswick Terrace. The back of house facilities includes office space, staff rooms and meeting rooms. Dressing rooms would be contained in a separate access controlled zone close to the stage access points. The backstage area also includes a crew kitchen and dining area, a press room, first aid facilities, a workshop and warehouse area.
- 3.3.7 All goods will be delivered to the warehouse or main enclosed service yard from the service road to the east (Inner Ring Road) side of the building. The service yard

would provide secure, direct access to the arena floor enabling loading and unloading of three articulated goods vehicles simultaneously.

3.4 THE ARENA BUILDING – SCALE AND EXTERNAL DESIGN

3.4.1 In addition to the internal benefits of the fan design described at 3.3.2 the arrangement also maximises the potential of the site by:

- Ensuring a more compact building.
- Reinforcing and enhancing pedestrian circulation routes through the site.
- Making the best use of the topography of the site.
- Orientating the building for service access from Wade Lane.

3.4.2 As described above the arena comprises two main areas – the bowl and the service areas. The western edge of the building forms the main entrance with the seating flowing down from the western edge. The eastern side forms the rear of the arena, including the stage and service yard. The scale of the building reduces from west to east reflecting the natural change in levels.

3.4.3 At level 0 the bowl has a maximum east-west length of 92m and a maximum north-south width of 120m. Allowing for the varying site levels the maximum height of the building is approximately 40m. To the rear, the service area has a maximum length of 42m and a maximum width of 90m. The service yard is a maximum of 10.3m in height.

3.4.4 The external form of the building is a direct expression of the interior fan shape of the bowl. A hierarchy of elevations has been developed in response to the building's immediate context and internal function. At the same time, the Design and Access Statement recognises the quality of each elevation has been developed in line with the project budget.

3.4.5 The main façade acts as the principal focal point for the arena. The lens that overlooks the piazza has been developed to reflect the rich diversity of event goers. The complex façade comprises a series of layers built upon the structural grid. The mesh allows the opportunity for this facet of the building to be either back or externally lit. The detailed lighting strategy will be brought forward as a separate submission to discharge details of the outline permission (condition 9).

3.4.6 The positioning of the hexagonal windows produces an organic quality. Glimpses in and out of the building will be possible through some of these windows. The main façade's built in tracery elements act as louvres and as an integrated gutter system. This element of the façade is also critical to the changing daytime appearance as the sun position casts a changing shadow.

3.4.7 The southern elevation of the building abuts Brunswick Terrace. The presence of the administrative and event backstage areas is reflected by doorways and fenestration which would help to activate the elevation at the lower, plinth level. The side of the arena bowl rises over these functional areas.

3.4.8 The service yard tapers towards the eastern end of the site. The maximum height of the yard is 10.3m including the parapet. The fully enclosed service yard would have a green roof. Mechanical plant providing ventilation and cooling is elevated over the

service yard to the rear of the stage. The equipment is largely concealed behind a louvred screen which may provide future opportunities for signage. Signage proposals will form the subject of a separate application.

- 3.4.9 The north-eastern elevation of the building incorporates the primary servicing facilities. The main service yard doors front the access road. A secondary service area, servicing the food and retail concessions, is located to the west of the service yard. The remainder of the elevation reflects the arrangement on Brunswick Terrace where the main arena bowl sits over the plinth albeit on this elevation there is less animation.

3.5 THE ARENA BUILDING – EXTERNAL MATERIALS

- 3.5.1 Standard building materials and systems have been selected to control cost. However, it is intended to utilise the materials in an interesting way such as using a standard curtain walling system rotated 45 degrees. The module of the glazing and building components has been optimised to reduce waste.

- 3.5.2 The basic external material components are:

- Blockwork plinth
- Polyester powder coated tracery
- Tinted glazing
- Curtain walling
- Mesh
- Liquid plastic arena bowl and roof
- Green sedum roof to service yard

The building structure and key elements will have a lifespan of 60 years. The envelope will have a base guarantee of 25 years. The building is designed to allow clear access to enable a simple cleaning strategy.

- 3.5.3 Although many of the submitted images largely depict a green range of colours the final colour scheme, which is likely to be horizontally graded, will be determined following sample review (proposed condition 5). The colour will need to respond to the scale, design and context of the building. The colour choice will also need to have the ability to accommodate the application of different lighting conditions and colours on the main facade.

- 3.5.4 The building has been designed with the incorporation of future naming rights and signage in mind. Such details will form the subject of a separate, future, application.

3.6 LANDSCAPE DESIGN

- 3.6.1 Whitelaw Turkington have sought to produce a landscape design that complements the building envelope whilst delivering the operational and technical requirements. The principal considerations have included movement patterns; the provision of clear and distinctive edges; the formation of a hierarchy of spaces responding both to event and non-event times; the definition of distinctive approaches; and the need to include counter-terrorism strategies.

- 3.6.2 A simple spatial arrangement has been devised in order to provide a legible public realm around the site. There are four main components:
- Piazza arrival space to the front of the main entrance
 - Development plots
 - Service road access route
 - Brunswick Terrace
- 3.6.3 The piazza is intended to be a large open space creating a suitable setting for the arena. There will be distinctive seating, lighting and landscape elements. A line of Norway Maple trees would be introduced to the north and south of the piazza creating continuity from existing tree planting in Brunswick Terrace alongside Yorkshire Bank. A DDA compliant route will be provided from the taxi drop off and disabled persons parking area. Sheltered seating and gathering spaces are identified towards Brunswick Terrace.
- 3.6.4 Work on the Clay Pit Lane crossing is ongoing. The crossing is being designed to enable large numbers of pedestrians to cross the carriageway in a single movement to improve accessibility and safety. The crossing will be of a high quality design, avoiding the need for barriers where possible and, if practical, will create an attractive extension to the arena piazza. Details of the crossing will be submitted towards the end of the year.
- 3.6.5 The development plots will retain existing trees where possible. Native wildflower and clipped lawns would create a soft space in the southern plot. Coppice tree planting is included in both the northern and southern plots. Raised walls would create areas for informal seating as well as providing a defence against vehicles attempting to entry from Clay Pit Lane.
- 3.6.6 The service road corridor incorporates disabled persons parking and a pedestrian route linking Clay Pit Lane with Wade Lane. Ground based oak tree planting would create a green edge to the site improving the pedestrian environment and softening views of the arena from the Inner Ring Road. Beyond the turning head at the northern end a wide pedestrian area would create a gateway into the site from Clay Pit Lane.
- 3.6.7 The central segment of Brunswick Terrace, alongside the arena would be pedestrianised to accommodate increased pedestrian flows and to improve the current environment. Disabled person's minibus parking is identified towards the eastern end of this space. An area between the service yard and Opal 3 would be reserved for occasional outside broadcast vehicle parking. At the time of drafting this report discussion regarding the provision of appropriate landscaping in this area was ongoing.
- 3.6.8 Man-made concrete block paving is proposed for all pedestrian areas. A variation in colour and unit size would create a distinctive ground plane across the piazza. Pre-cast concrete steps are proposed allowing for simple installation. Concrete walls would incorporate anti-skate elements. Bollards are used extensively around the site to prevent unauthorised vehicular access to public areas.

3.7 ENERGY STATEMENT

- 3.7.1 Condition 59 of the outline planning permission included a requirement that details of the measures to ensure that at least 10 per cent of the energy supply of the development comes from renewable or low carbon energy sources are included in the Reserved Matters submission.
- 3.7.2 The application is accompanied by a Low Zero Carbon report which sets out the technologies which were explored; solar PV, biomass boilers and air source heat pumps. The document identifies the cost of the photo-voltaic option being outside the current affordability of the project. The use of biomass boilers would create issues regarding fuel storage and delivery, and boiler flue emissions.
- 3.7.3 Air source heat pumps have been identified as the most suitable solution to deliver at least 10 per cent of the energy supply. The pumps extract heat from the outside air and via a heat exchanger warm air or water is passed into the building's heating system. The equipment will be an integral part of the mechanical and electrical programme of works and will be fully operational when the building is first used. Provision will also be made to enable the arena to connect to the proposed Civic Quarter district heating scheme.

3.8 WIND

- 3.8.1 A desk top study at outline application stage identified some potentially, occasional, windy areas around the site. Consequently, the outline permission required further analysis at detailed design stage (condition 15).
- 3.8.2 A wind tunnel model was constructed and tested. Measurements were taken around the existing site and around the arena. It was noted that some areas of the site close to Opal 3 are already windy at certain times of the year. The construction of the arena will provide shelter in this area.
- 3.8.3 The arena development will not significantly change the wind conditions in the majority of other locations from those that currently exist. Two areas, near the taxi drop off and by the entrance doors could, however, experience high wind speeds.
- 3.8.4 Additional trees in the northern development plot and a row of trees in the pedestrian space would reduce wind speeds to an acceptable level near the taxi drop off. These trees are shown on the latest landscape drawings.
- 3.8.5 The design of main entrance has been adapted to provide:
- A 3m projecting main portal around the entrance area.
 - Smaller portals around groups of doors.
 - Outward opening doors.

With the inclusion of the identified mitigation measures it is likely that the wind conditions will be suitable for the proposed activities.

4.0 POLICY

- 4.1 The outline planning permission included a detailed review of relevant national and local planning policies and supplementary guidance. Since approval of the outline

planning permission the Regional Spatial Strategy has been revoked. Appendix 2 briefly reviews relevant policies primarily relating to design and landscaping.

5.0 STATUTORY CONSULTATIONS

Highways (21.10.10)

The access road details are acceptable in principle and will be controlled through the detailed design process as the road is to be adopted. The minimum headroom shown on the access road drawing is acceptable. An area of highway on Brunswick Terrace will need to be stopped up. Oversailing licenses will be required on both the access road and Brunswick Terrace. There are no objections to the proposal.

Leeds Bradford Airport (23.9.10)

No objections, although requirements regarding any construction cranes and lighting of the building.

Natural England (29.9.10)

No additional comments to make.

Yorkshire Forward (23.9.10)

No comments to make at this stage.

6.0 NON STATUTORY CONSULTATIONS

Access (20.9.10)

The general layout and design is acceptable.

Environmental Protection Team (30.9.10)

No objection to the reserved matters subject to the original conditions applying.

Flood Risk Management (27.9.10)

Original conditions continue to apply.

Leeds Civic Trust (28.9.10)

The design is a step beyond other arenas that have been built around the country and the building is one which LCT are pleased to support. LCT also welcomes the proposed sustainable construction and operation activities.

The greatest concern relates to the potential for building on the development plots as the arena needs the scale of the whole space in front of it. Other concerns relate to the longevity and maintenance of the proposed building materials; the need for acoustic and lighting containment to reduce disturbance to local residents; the potential to cover over part of the Inner Ring Road neighbouring the site and to reduce the extent of Clay Pit Lane open to vehicles; the need to design pedestrian

links properly; and concerns regarding general dropping off/picking up and coach parking facilities.

Leeds District Architectural Liaison (23.9.10)

Crime prevention has been adequately considered. Internal and external CCTV and means to make the public realm unattractive to skate boarders should be considered.

CABE (7.10.10)

CABE are very encouraged by the development of the designs for the arena and new public square. The entrance is legible and the articulation of the main façade and strategy for changing its appearance is well considered. Secondary elevations would benefit from additional care, especially at lower levels. The success of the development is dependent upon detailed design and choice of materials.

The landscape design is simple and robust and works well with the geometry of the building. Distinctly contrasting paving strips are needed to ensure that the patterning reads strongly. Running the paving into the building foyer would reinforce the concept of the integrated public space both within and outside the building.

CABE remain critical of the lack of coordinated proposals for the development plots and are concerned that the developments could obscure the entrance. Finally, CABE suggest that more work is needed to develop the strategy for pedestrian and vehicular connection to the arena.

Yorkshire Water (14.9.10)

No comments on the reserved matters details. Conditions attached to the outline permission still apply.

7.0 PUBLIC RESPONSE

Site notices were erected around the site on 17th September 2010 and the proposals were advertised in Leeds Weekly News on 30th September 2010.

One letter of representation has been received objecting to the traffic problems and impact on highways; to the detrimental economic impact due to congestion; due to the distance from public transport infrastructure; and due to the failure to site the arena to the south of the city where there would be more regenerative impact.

Response : The issues raised by the objector were thoroughly examined as part of the outline planning application. The beneficial impact of the arena's proposed location in rebalancing and stimulating investment and regeneration on the northern edge of the city centre, together with the wider economic benefits, were recognised. Additionally, the outline application included a detailed transport assessment. The utilisation of existing city centre car parks, together with the green travel plan and public transport improvements demonstrated an acceptable approach to transport issues.

8.0 MAIN ISSUES

8.1 The principal issues for consideration of the Reserved Matters submission are:

- Scale of the building
- Appearance of the building
- Site layout and landscaping
- Energy and wind
- Diversity and equality

9.0 APPRAISAL

9.1 Overview

9.1.1 Outline planning permission to construct the arena at Clay Pit Lane was granted in March 2010. In granting outline permission detailed approval of the highway and access arrangements, including parking and servicing proposals, was given. The broad site layout and scale of the building were also established, subject to identified parameters. Consequently, the Reserved Matters to be considered primarily relate to the detailed appearance of the building and landscaping proposals. The outline permission also required further assessment of wind and energy generation at Reserved Matters stage.

9.2 Scale of the building

9.2.1 As noted, the parameters of the building were identified at outline stage. It was accepted that the potential maximum scale of the building would be subsumed into the cityscape. At a more local scale it was considered that a suitable relationship with Brunswick Terrace and Jacob Street would be ensured. Particular consideration was given at outline stage to the juxtaposition with Opal 3 student accommodation and it was concluded that the relationship was acceptable.

9.2.2 Detailed design work has taken account of the agreed parameters and the overall scale of the building largely accords with the position at outline stage. Key building dimensions are identified at section 3.4 above. Consequently, the scale and impact which has been confirmed by further studies remains acceptable.

9.2.3 Following the development of detailed design work the maximum parameters have been exceeded in the following locations:

- The balcony over Brunswick Terrace which provides pedestrian access to the main concourse extends a maximum of 873mm further than the maximum parameters.
- Part of the service yard projects 2300mm further towards the service road than anticipated at outline stage to accommodate the internal manoeuvring of vehicles.

Given the overall mass of the building it is not considered that these minor exceedances result in a material impact on its scale or its neighbours.

9.3 Appearance

- 9.3.1 Plans Panel has seen the emerging design of the building at presentations in April and August this year. In particular, Members will recall that the external form of the building is a direct expression of the interior fan shape of the arena bowl. The supporting plinth is expressed separately towards the rear. A hierarchy of elevations has been developed in response to both the internal function and the building's context.
- 9.3.2 Special attention has been paid to the main façade which will be animated by the dramatic lens. The main entrance portal and visible vertical circulation (stairways and escalators) will further animate this distinctive elevation. Additionally, the ground floor restaurant and club lounge located either side of the main entrance will add to the active frontage.
- 9.3.3 The side and rear elevations of the building contain far less articulation than the main façade. This is to be expected of secondary elevations albeit, given their location and surrounding uses, their appearance remains important. Lower plinth levels of the Brunswick Terrace elevation are activated by the windows and doorways of the administrative and event backstage areas and the balcony above. The detailing in this area will be critical to the quality of environment created and to an extent it is unfortunate that it has been determined that concrete blockwork, rather than a natural facing material, is to be used at plinth level. The southern side of the arena bowl will be clearly visible in views above and between buildings from Merrion Way such that the choice of colour for the cladding material is particularly important here.
- 9.3.4 The tapering service yard is to be fully enclosed thereby removing potentially unsightly functions of the building from public view. The utilisation of a green roof is applauded given the benefits to biodiversity and also views from accommodation within the Opal 3 tower. Similarly, the screening of the mechanical plant is a suitable response to a potentially unsightly element of the building.
- 9.3.5 The elevation fronting the Inner Ring Road incorporates the primary servicing facilities including the main service yard doors and a secondary service area. The remainder of the elevation largely reflects the arrangement on Brunswick Terrace albeit there is less animation on this elevation given the absence of administrative functions.
- 9.3.6 The proposed range of facing materials is referred to at section 3.5 above. Ultimately, the success of the appearance of the building will be dependent upon the detailed design, the choice of appropriate materials and the quality of construction. Value engineering of external materials should be avoided. Hopefully, it will have been possible to have viewed samples of some of the proposed materials on site today.

9.4 Site layout and landscaping

- 9.4.1 At outline stage it was recognised that the location of the building responds well to the change in levels across the site and to the position of the servicing facilities. The arrangement enables the area of public realm on the west side of the building to maximise benefits from natural light and ventilation. Similarly, the layout relates well to primary pedestrian routes to the arena. The piazza and new footpath alongside

the service road create and significantly improve pedestrian routes. The extent and general arrangement of the public realm was considered acceptable.

- 9.4.2 Detailed landscape design is described at section 3.6 above. Spaces created are clear and legible. In particular, the piazza will create a suitable setting for the main façade to the arena. This space will also enable fluid pedestrian movement in and out of the arena and be suitable for use by others when the arena is not in use. Additional tree planting will replace trees to be removed on Elmwood Road and will reinforce the existing planting on Brunswick Terrace leading to Merrion Way.
- 9.4.3 The route alongside the Inner Ring Road successfully combines a number of challenges whilst creating a positive edge to the site. The pedestrianisation of part of Brunswick Terrace abutting the arena will help to support pedestrian movement in this area and allow for improved surface treatment. It is important that this space remains free of avoidable street furniture. The use of the space between the building and Jacob Street for the occasional parking of outside broadcast vehicles limits soft landscaping in this area. However, the quality of the environment needs to be mitigated and officers will report proposals to the meeting.
- 9.4.4 The development plots adjacent to Clay Pit Lane are to be used to serve a number of functions on a temporary basis. Existing trees will be retained and supplemented in the northern plot to filter wind. Wildflower and lawned areas in the southern plot create a soft area for people to spill onto. Raised walls will provide informal seating whilst preventing unauthorised vehicular access from Clay Pit Lane.

9.5 Energy and wind

- 9.5.1 The utilisation of air source heat pumps will ensure that at least 10 per cent of the energy supply of the development comes from renewable or low carbon energy sources as required at outline stage. The arena has been designed so that it will also be able to link in to any future district heat network planned for the civic quarter. Other sustainable credentials of the development, such as details of the rainwater harvesting system, will be submitted to discharge condition 58 attached to the outline planning permission.
- 9.5.2 The Reserved Matters submission included a wind tunnel assessment to supplement the desk study carried out at outline stage. As referred to at section 3.8 it was found that the building would benefit some existing areas whereas mitigation was required in localised areas to the north-west corner of the building. The building design and landscaping proposals have been adjusted to take account of these potentially windy areas. As a result, the development should have acceptable wind conditions for the proposed uses.

9.6 Diversity and Equality

- 9.6.1 The Council has a general duty under s.71 of the Race Relations Act 1976 to have regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups. The Equality Act 2010 requires public bodies to have due regard to eliminate discrimination and to advance equality of opportunity. Unitary Development Plan Review policies SA8, N12, T6 and A4 require the design of safe and secure environments for all sections of the community, including consideration of access arrangements. Policy R5

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

- 9.6.2 The city centre location ensures that the arena is sited so as to be accessible as possible to all sections of society. Detailed consideration of parking provision for disabled persons was undertaken as part of the outline planning application. These elements are retained in the detailed design. The disabled minibus parking has been relocated onto Brunswick Terrace to ensure that 10 disabled people's car parking spaces can be delivered alongside the access road.
- 9.6.3 A simple level's strategy has been devised around the building that ties in with the site's topography. As a result, each main pedestrian approach has DDA compliant access.
- 9.6.4 The building itself has DDA compliant routes throughout. Stairs are supplemented by escalators and a dedicated disabled access lift. 110 DDA viewing spaces and helper spaces are deliverable depending upon event mode. Additionally, there is a gold standard Changing Places toilet at entrance level.
- 9.6.5 A primary objective of the development is to deliver significant economic and social benefits to the city. To ensure that the benefits are shared by some of the most disadvantaged people and communities within the city the outline planning permission required that a employment and training strategy including these measure should be implemented (condition 62). The Council will work with the preferred contractor (when appointed) to encourage the involvement of the third sector and specialist employment organisations to seek to secure apprenticeships for people from groups who may traditionally be excluded from such opportunities. As well as providing over 50 construction jobs at the peak of the building work, BAM committed to achieve a range of social and economic benefits including:
- 110 local construction jobs safeguarded.
 - 60 new apprenticeships.
 - Employment opportunities for local residents through JobCentre Plus or equivalent schemes, with 20 per cent targeted at residents of Wards nearest the site.
 - 48 people week's equivalent of work experience for 16-17 year olds.
 - 96 people week's equivalent of work experience for 18+ year olds.
 - Safeguarding 30 existing apprenticeship positions.

Once complete, it is predicted that the arena will attract at least 1 million visitors per annum to the city, providing in the region of 330 new, full time equivalent job opportunities, and will benefit the city's economy in excess of £25m per annum. It is also anticipated that the development will act as a catalyst for regeneration and investment in this quarter of the city.

9.7 Conclusion

- 9.7.1 The Reserved Matters reflect the detailed design work which has taken place within the constraints imposed by the outline planning permission and taking into account views of stakeholders expressed throughout the process. The main façade of the building, in particular, will be a valuable addition to the cityscape. Furthermore, the landscape design will complement the building and radically improve the existing

environment at a key gateway into the city. Questions remain regarding the future of the development plots and their impact upon the arena development. However, the sites will be the subject of future applications which will come to Plans Panel in due course. In the interim the areas will benefit from high quality landscaping.

- 9.7.2 The arena is a key project which would accord with the City Council's community strategy "Vision for Leeds 2004 to 2020". The scheme is also central in the delivery of key priorities set out within the Leeds Strategic Plan 2008-2011 and remains on track to be open at the end of 2012/early 2013.

10.0 Recommendation

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

Background papers:

Application files 09/04815/OT, 10/02935/FU, 10/9/00187/MOD

Certificate of ownership:

Signed by the agent on behalf of Leeds City Council

APPENDIX 1 – SUGGESTED CONDITIONS AND REASONS FOR APPROVAL

1 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.

2 The development shall be carried out in accordance with the conditions imposed under Outline Planning permission 09/04815/OT dated 26th March 2010.

To ensure the development is carried out in accordance with the conditions attached to the outline permission.

3 All facilities within and around the arena shall be designed in accordance with British Standard BS8300:2009 or the current best guidance criteria. The facilities shall be provided prior to first use of the arena and shall include a changing places toilet and 110 wheelchair accessible viewing points. Any dropped kerbs shall be designed in accordance with DETR guidance "Guidance on the use of Tactile Paving Surfaces". The facilities shall thereafter be retained unless otherwise approved in writing by the Local Planning Authority.

In order to provide appropriate access and facilities for disabled people.

4 Prior to construction in the relevant part of the site full details of the following features shall be submitted to and approved in writing by the Local Planning Authority:-

- (i) 1:20 scale drawings of typical material junctions and typical changes in building plane
- (ii) 1:20 scale section drawings of doors and fenestration and balcony details within the main façade and building plinth

The works shall be carried out in accordance with the details thereby approved unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

5 Further to condition 10 attached to outline planning permission prior to the construction of the external facing materials to the building a study of the colouration of the building, reviewing a range of options, shall be submitted to and approved in writing by the Local Planning Authority. The building works shall be completed in accordance with the details thereby agreed and shall thereafter be maintained.

In the interests of visual amenity.

6 Prior to the installation of vehicular doors to the service yard full details of their form appearance and means of operation shall be submitted to and approved in writing by the Local Planning Authority. The doors shall be installed in accordance with the details thereby agreed.

In the interests of visual amenity.

7 Prior to its installation details of the proposed vehicular barrier alongside the Inner Ring Road should be submitted to and approved in writing by the Local Planning Authority.

The barrier shall be installed in accordance with the details thereby approved prior to first use of the access road.

In the interests of visual amenity and highway safety.

8 All glazing should be laminated on the inner leaf to EN ISO 12543 standards. The glazing should be fixed into a blast resistant retention system to BS 6206 Class B or BS EN 12600 Class 2 (B) 2 standard unless otherwise agreed in writing by the Local Planning Authority.

In the interests of public safety.

9 All bollards shall be to PAS68/PAS 69 standards unless otherwise agreed in writing by the Local Planning Authority.

In the interests of public safety.

10 Prior to the substantial completion of the arena development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. Maintenance shall commence when the landscape scheme is completed and shall be carried out in accordance with the approved schedule.

To ensure maintenance of the completed landscape scheme.

Informatives to include:

A stopping up order and oversailing license will be required.
The access road will need to be designed and constructed to adoptable standards

Reasons for granting consent

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

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

- (a) The development is in accordance with the Development Plan as a whole together with other material planning guidance.
- (b) The arena would entail an efficient use of land brownfield land which currently detracts from the wider area. The development would bring forward a building accessible to all members of the community and would deliver an area of high quality public realm and improve the permeability of the site.
- (c) The development would bring forward a high quality building at a key gateway into the city.

- (d) The development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

The above represents a summary of the reasons why the City Council approved the Reserved Matters submission 10/04022/RM for the development.

APPENDIX 2 – PLANNING POLICY

1 The Development Plan

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

Unitary Development Plan Review

- 1.1.1 Strategic Aim SA1 encourages the highest possible quality of environment throughout the District, including initiating the renewal and restoration of areas of poor environment.
- 1.1.2 General Policy GP5 identifies the need to resolve detailed planning considerations, to promote energy conservation and the prevention of crime. Proposals should also have regard to any framework for the area.
- 1.1.3 Environment policies
- N12 identifies fundamental priorities for urban design.
 - N13 indicates that the design of all new buildings should be of a high quality. Good contemporary design will be welcomed.
 - N23 states that space around new development should be designed to provide a visually attractive setting for the development and, where appropriate, contribute to informal public recreation.
- 1.1.4 Access for All
- A4 requires the design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.
- 1.1.5 City Centre policies seek to encourage a more vibrant, high quality environment within the city centre
- CC4 encourages development at gateway sites to reflect the importance of their location through scale and design quality.
 - CC12 indicates that new public spaces must integrate with the existing pattern of streets
 - CC13 requires that spaces should be imaginatively designed and complement their location.
- 1.1.6 UDPR Appendices
- Policies within the appendices typically elaborate policies in the main document.
- BD2 New buildings should complement and, where possible, enhance existing vistas, skylines and landmarks.

- BD3 Buildings open to the public will be required to provide suitable access for disabled people.
- BD4 Plant, pipework, other mechanical equipment and fire escape stairs should normally be contained within the envelope of the building. Service and deliver areas to be screened as far as possible.
- BD5 New buildings should be designed to give consideration to their own amenity and that of their surroundings.

LD1 sets out requirements for landscape schemes.

1.2 Supplementary Planning Guidance, other guidance and emerging policy

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

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

- Improve pedestrian links within the area and to/from other areas
- Enhance gateway images
- Improve existing spaces
- Encourage more active frontages
- Improve boundary treatments

1.2.2 The draft Sustainable Design and Construction Supplementary Planning Document advises how development in Leeds can result in reduced greenhouse gas emissions; better adaptation to climate change; reduced overall impact on the environment; and inclusive development for all users.

1.2.3 City Centre Area Action Plan (Preferred Options 2007)

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

- That new building needs to address climate change by incorporating appropriate waste storage, renewable energy and sustainable design technology (PO-22/23).
- Promoting provision of public space as part of major new development (PO-25).
- Ensuring new development is easily accessible to all (PO-28).

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

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

1.3 National planning guidance

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

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

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

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

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

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

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

Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (December 2009); PPG13: Transport (March 2001); Planning Policy Guidance 24: Planning and Noise (October 1994); and PPG25: Development and Flood Risk (December 2006) were reviewed as part of the outline planning application.

APPENDIX 3 - CONDITIONS ATTACHED TO THE OUTLINE PLANNING
PERMISSION 09/04815/OT

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

Layout
Scale
Appearance
Landscaping

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

Because the application is in outline only and as only outline details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority.

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

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

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

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

- 4) The arena shall have a maximum attendance of 13,500 patrons.

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

- 5) The concourse restaurants shall have a maximum net floor area of 900 square metres.

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

- 6) Other than for the concourse restaurants referred to at Condition 5 above the ancillary restaurants, bars and retail concessions within the arena building shall only open on arena event days unless otherwise agreed in writing by the Local Planning Authority.

To control the extent of retail floorspace within the building in order to protect the vitality and viability of the Prime Shopping Quarter in accordance with Unitary Development Plan Review policies S1 and CC21 and PPS4 Planning for Sustainable Economic Growth.

- 7) The event level standing floor area shall not exceed 1500 square metres unless otherwise agreed in writing by the Local Planning Authority.

To ensure the arena function is complementary to Harrogate conference facility in accordance with Regional Spatial Strategy policy LCR1(A7) and Unitary Development Plan Review policy LT5.

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

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

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

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

- 10) No building operations shall be commenced until details and samples of all external finishes, including glazing and surfacing materials, have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity.

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

In order to safeguard the visual amenity of the area.

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

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

(b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

- 13) If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

- 14) Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Reports shall be submitted to the Local Planning Authority in accordance with the approved programme. The arena shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan Review and Annex 2 of PPS23.

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

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

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

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

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

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

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

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

a) No retained tree shall be removed, uprooted or destroyed nor shall any retained tree be pruned, topped or lopped or suffer root severance other than in accordance with the approved plans and particulars without the written approval of the Local Planning Authority. Any pruning, topping or lopping approved shall be carried out in accordance with British Standard 3998 (Recommendations for Tree Works) and in accordance with the actions recommended in any tree survey approved by this permission or agreed in writing by the Local Planning Authority.

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

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

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

In order to protect wild birds during the breeding season.

- 19) No building operation, including delivery of building materials, shall take place before 0700 hours on weekdays and 0800 hours on Saturdays or after 1900 hours on weekdays and 1300 hours on Saturdays, with no operation on Sundays or Bank Holidays unless agreed in advance by the Local Planning Authority.

In the interests of amenity.

- 20) No development shall take place until the details of measures to minimise the impacts of construction have been submitted and approved in writing by the Local Planning Authority. The measures shall form a Code of Construction Practice and shall include details of construction traffic management, including vehicular routes, contractor's parking and wheel washing facilities; details of the location of storage of plant, materials and contractors cabins; measures to control noise and dust within the site

and on roads and haul routes; temporary boundary treatment; and a waste strategy during construction. Activities must be carried out in accordance with the requirements of any agreed Code of Construction Practice, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

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

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

- 22) Prior to first use of the arena a detailed Venue Management Strategy for the use and operation of the arena shall be submitted to and approved in writing by the Local Planning Authority. The Venue Management Strategy shall include details of the management of pedestrian movements outside the arena before and following events. The operation of the arena shall be in strict accordance with the details approved under this condition unless otherwise agreed in writing by the Local Planning Authority.

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

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

In the interests of safety and security and PPS1 Delivering Sustainable Development.

- 24) Prior to first use of the arena, a scheme detailing the method of storage and disposal of litter and waste materials (including recycling facilities) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented prior to commencement of arena events and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling.

- 25) The hours of delivery to and from the concourse restaurant and ancillary bar and retail facilities, together with loading and unloading within those uses shall be restricted to 0700 hours to 2230 hours Monday to Saturday with no such operations taking place on Sundays and Bank Holidays.

In the interests of amenity.

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

In the interests of accessibility and management of the highway.

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

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

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

In the interests of accessibility and management of the highway.

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

In the interests of residential amenity and highway safety.

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

In the interests of highway management.

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

In the interests of highway management.

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

In the interests of sustainable travel.

- 33) Prior to the commencement of development the Arup Travel Plan dated 25th February 2010 (Version E) shall be implemented and shall not be varied without the prior written approval of the Local Planning Authority.

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

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

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

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

In the interests of highway management and residential amenity.

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

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

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

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

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

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

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

In the interests of sustainable travel.

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

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

- 38) A traffic management plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the first arena event exceeding 3750 attendees taking place during the hours of 0900-1800 on a weekday. The traffic management plan shall be implemented in accordance with the approved details.

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

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

In the interests of pedestrian connectivity and accessibility.

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

Soft landscape works shall include plan and cross-sectional details at 1:10 of (g) planting plans; (h) written specifications (including cultivation and other operations associated with plant and grass establishment); (i) specification and compaction of 'urban treesoil', fertilisers and additives; (j) where green walls/roofs are proposed details of their irrigation and maintenance; (k) means of passive ingress of surface water, air and of irrigation during establishment; (l) details of tree pits under parking spaces; (m) schedules of plants noting species, planting sizes and proposed numbers/densities which shall be no less than 35cm stem girth; (n) means of anchoring rootballs; (o) details of protection from vehicle impact; (p) existing trees to be retained; and (q) implementation programme.

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

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

- 41) 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.

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

To ensure the maintenance of a healthy landscape scheme.

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

To maintain and enhance biodiversity.

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

To ensure the provision and future maintenance of the public realm.

- 45) The L_{Aeq} of the entertainment noise shall not exceed 10dB below the representative background noise level L_{A90} (without entertainment noise), and the L_{Aeq} of the entertainment noise will be at least 3dB below the background noise level L_{A90} (without entertainment noise) in octaves between 63 and 125Hz. The noise level shall be determined at the façade of the nearest noise sensitive premises.

In the interests of amenity.

- 46) The rating level of the noise emitted from each of the non entertainment sources (e.g. plant and machinery, and the service yard) shall not exceed 5dB below the existing background noise level (L_{A90}). The noise level shall be determined at the nearest noise sensitive premises, with the measurements and assessment made in accordance with BS4142:1997.

In the interests of amenity.

- 47) Within 3 months of completion of the development a noise survey shall be undertaken to show compliance with conditions 45 and 46. The survey locations and methodology shall be agreed in writing by the Local Planning Authority in advance of the survey being undertaken and shall be representative of the noise sensitive receptors adjacent to the development. The results of the survey shall be provided to the Local Planning Authority within 4 weeks of the survey being carried out. In the event of failure to demonstrate compliance with any imposed noise conditions, measures necessary to comply with the relevant conditions shall be undertaken and a

further noise survey shall subsequently be submitted to the Local Planning Authority to confirm that the noise control requirements are fulfilled.

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

- 48) There shall be no use of external loud speakers for any purpose other than in emergency situations unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity.

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

In the interests of amenity.

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

In the interests of amenity.

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

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

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

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

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

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

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

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

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

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

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

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

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

To ensure that the site is properly drained.

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

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

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

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

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

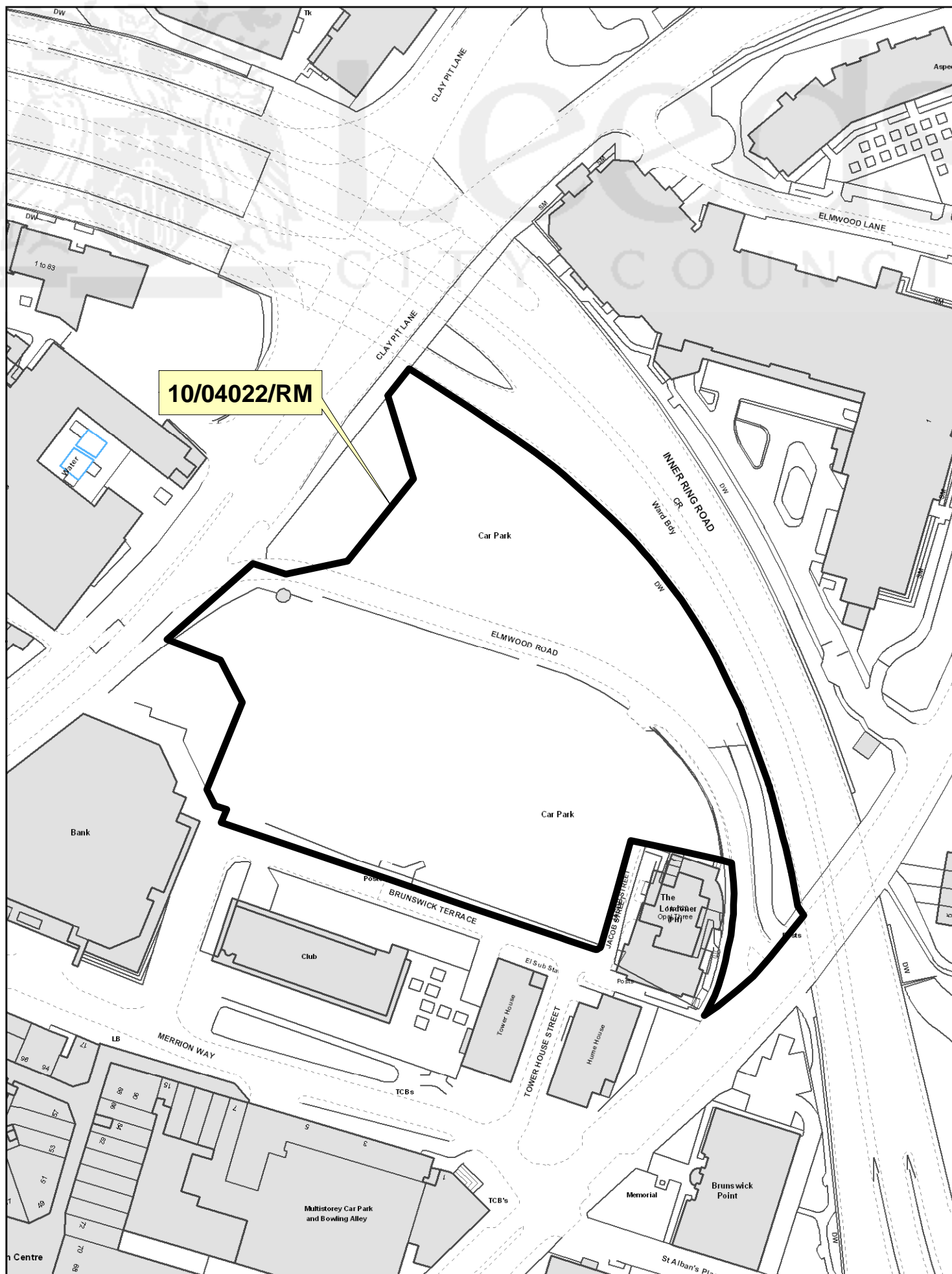
In the interests of sustainable development and in order to accord with Policy GP11 of the Council's Unitary Development Plan.

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

In order to safeguard the amenities of nearby occupiers.

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

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



10/04022/RM

CITY CENTRE PANEL

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