

Plans Panel (City Centre)

Thursday, 7th July, 2011

PRESENT: Councillor B Selby in the Chair

Councillors G Driver, S Hamilton, J Jarosz,
J McKenna, E Nash, M Hamilton,
C Campbell, G Latty, A Castle and
A Blackburn

1 Chairs Opening Remarks

Councillor Selby welcomed all present to the meeting, particularly new Members of the Panel. Short introductions were made

2 Late Items

No formal late of items of business were added to the agenda however Members had received the following supplementary documents:

Item 7 Eastgate & Harewood Quarter – copy letter dated 9th June 2011 from the Chief Planning Officer to the developer and a revised schedule of conditions (minute 5 refers)

Item 8 Energy Centre – revised recommendation to the officer report (minute 6 refers)

3 Declarations of Interest

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Applications 11/01000/OT and 11/01003/LI – Eastgate and Harewood Quarter and Templar House Lady Lane LS2 (minute 5 refers)

Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals

Councillor Castle declared a personal interest through being a member of Leeds Civic Trust which had commented on the proposals

Councillor Taggart declared a personal interest as a member of the Joint Services Committee which managed West Yorkshire Archaeological Advisory Service which had commented on the application

Application 11/01194/FU – Former Park Lane College Building – Bridge Street and Ladybeck Close LS2 – Councillor Castle declared a personal interest through being a member of Leeds Civic Trust which had commented on the proposals (minute 6 refers)

4 Minutes

RESOLVED – That the minutes of the last meeting held 12th May 2011 be agreed as a correct record

(Councillor A Blackburn joined the meeting at this point)

5 Application 11/01000/OT Major redevelopment including demolition involving mixed use to provide retail, restaurants, bars & offices, gym, medical centre and creche uses with new Squares and Public Realm Landscaping, car parking and associated highway works at the Eastgate & Harewood Quarter, Leeds LS2 AND Application 11/01003/LI to renovate and repair external fabric of Templar House, Lady lane, Leeds LS2

Further to minute 92 of the Panel meeting held on 12th May 2011 when Members considered a position statement on the Eastgate & Harewood Quarter (EHQ) proposals the Head of Planning Services outlined the strategic importance of the development to the city and the planning history of the proposal to bring us to this point. Outline permission had previously been granted for a larger scheme on a larger site in 2007 and the present proposals were for a reworked and reduced scheme on a smaller site. This scheme still presented a new quarter to the city centre and a significant private investment which would enhance the city centre and bring significant regeneration benefits, acting as a catalyst for other development in the surrounding area. Site plans, architects drawings and 3D graphics were displayed along with artists' impressions of the proposals. A Member site visit had taken place prior to the meeting which involved a walk around the area and considered George Street and the relationship with the Markets.

Officers provided an overview of the changes to the scheme as:

- smaller red line development boundary due to the economy and the difficulties arising from developing around the Ladybeck culvert
- relocation of the flagship John Lewis store away from the culvert to a site adjacent to Millgarth, and the relocation of the Marks & Spencers store to the north west corner of the site
- creation of Eastgate Square and Templar Square as new public spaces with a public realm and cultural/arts strategies to be devised
- Templar Arcade to contain retail units leading to a two storey, 20 m wide arcade off Templar Square, to be open roofed and gated
- Retail mix at ground floor with offices above now proposed for the Blomfield buildings
- Creation of "Blomfield Street" through from Eastgate Square to the Markets and reinstatement of "Ebenezer Street" as a pedestrian route.
- Establishment of an elevated walkway leading from the John Lewis store to car parks, set at such a height above street level that it would allow for NGT passing underneath it on Eastgate
- The applicant confirmed that landscaping and detailed building design would address concerns over the two areas most at risk from increased wind generation (junction of Vicar Lane/ North St Upper and an area around the John Lewis unit). This matter will be controlled at the reserved matters stage by planning condition.

The Civic Architect presented slides showing connections across the city centre and emphasising the connectivity of the EHQ with other city centre destinations and the crucial relationship of the north/south route with Kirkgate

Market. External routes had been designed to emphasise the listed buildings at the corners of Kirkgate Market and the internal arcade walkways were set in such a way as to frame the Market.

Officers emphasised how EHQ would complement the Market through new and rejuvenated pedestrian links. George Street, adjacent to the Market, was currently dominated by cars, traffic and Market service vehicles but would be widened to create dedicated loading bays for the traders, Hammersons and taxis. Traffic flow would be reversed to flow towards Vicar Lane with buses re-routed via George Street to utilise new double bus stops. Retail units would also be introduced to front the north side of George Street and footpaths widened.

The Acting Transport Development Services Manager presented slides showing current Saturday peak hour traffic flows on Eastgate (497 vehicles including 172 buses) and George Street (386 vehicles, no buses). Once pedestrianised, traffic would divert onto the Inner Ring Road, North Street or Quarry Hill. Computer generated graphics of peak traffic flows on George Street following the pedestrianisation of Eastgate were viewed. It was estimated that a reduction of vehicles using George Street could be achieved (down to 275 including buses). 24 bus routes would be diverted onto the Inner Ring Road to access the bus station

Officers reported receipt of five additional submissions received after the agenda had been despatched. One letter expressed concern over the loss of connectivity to Quarry Hill/cultural quarter, traffic levels and massing in relation to Quarry Hill buildings. Four additional letters of support had been received. Officers also referred to the supplementary documents sent out after the despatch of the agenda.

The Chair had regard to the fact that this was the first opportunity for speakers to address the Panel on the proposals and; with the agreement of the Panel; varied usual procedure to allow speakers a longer but equal amount of time in which to make their representations.

Ms M Waugh and Ms S Gonzales addressed the Panel on behalf of the Friends of Kirkgate Market. Briefly their concerns were:

- impact of the EHQ development on the vitality of Kirkgate Market, the lack of investment in the Market and its' urgent need for regeneration
- lack of reference to the Market in the design of the EHQ scheme
- impact of the loss of the George Street car park on accessibility for Market shoppers
- the quality of the 4000 jobs to be created by the development compared with the 2000 supported by the Market, most of which were small businesses built over many family generations
- Concern the Market would become a traffic island, surrounded by busy roads which would be detrimental to the servicing arrangements for the Market and poor provision of car parking spaces dedicated for use by the Market.

- They concluded with a request for a detailed assessment of the impact of EHQ on the Market and a more substantial offer to repair of the Market buildings

In response to questions, the Friends confirmed the group did not object to the principle of the development, but rather to this particular arrangement of development and its relationship to the Market. The Friends remained concerned that increased traffic around the Market would present a barrier to pedestrians accessing the Market

Dr K Grady then addressed the Panel on behalf of Leeds Civic Trust and to emphasise that the LCT planning committee had supported the proposals but with reservations. He added the following points:

- Vitality of Leeds city centre had been under threat from out of town shopping but this development would seek to promote the retail city centre destination again and protect and enhance Eastgate
 - The relocation of the proposed John Lewis store closer to the existing retail core of the city was beneficial however this was balanced against reservations that the total development was too big, leading to empty shops in the existing retail quarter
 - Regretted the loss of the Eastgate roundabout and Millgarth police station from the scheme as he saw this as a lost opportunity to integrate the cultural quarter. He advocated continuing discussions on how to integrate the Millgarth site once the police PFI scheme was determined.
 - Felt the shopping quarter petered out on Vicar Lane with an ugly car park
 - Felt that Kirkgate Market was not sufficiently integrated into the scheme, was regarded as being "at the back" and cut off from the development by traffic evidenced by the disparity between the wide walkway to the main John Lewis entrance compared to the narrow walkway leading to the Market and the offer of "kiosks" to George Street rather than "retail frontage"
 - To conclude Dr Grady stated the concerns could be dealt with during the reserved matters process and addressed in the details of the proposals
- In response to questions, Dr Grady reminded Panel that the proposed NGT route would include Eastgate, therefore traffic would utilise that route in the future. He suggested that some east bound bus routes could still make use of Eastgate to join Duke Street in front of the Playhouse and expressed concern that increased traffic on St Peters Street/Duke Street would present a barrier to the cultural quarter.

Dr R Shaw, independent architect, addressed the Panel over his concern at the proposed closure of Eastgate to traffic and the loss of east-west connectivity of the city at the core of Leeds and a key transport route. He stated he could not see a special reason to pedestrianise Eastgate and he suggested widening George Street to create useful public space beneficial to the Market. Having undertaken his own traffic survey he calculated that 70-80 buses used Eastgate per hour, and concluded that there would be major disruption to Merrion Street/Vicar Lane if Eastgate was closed to traffic and harm would be caused to the historical buildings on Vicar Lane through increased bus journeys.

Mr A Hilston addressed Panel on behalf of Hammerson Properties – the developer – and highlighted the significance of this visually impressive scheme for Leeds. Revisions had been made to the scheme due to the shift in retail and investment Markets and in order to respond to Members comments. The revised public realm and boulevard to Eastgate would provide high quality pedestrian areas, excellent urban linkages to the benefit of other urban areas and would provide the catalyst for other regeneration and investment. Overall the scheme would restore and refurbish existing buildings with a mix of uses

Members discussed the following with the applicants' representative:

- Design of the John Lewis entrance on George Street which was not perceived to be of the same quality as the entrances on Eastgate. In response, Mr Hilston stated the George Street entrance was situated on a prominent corner facing Kirkgate Market
- Recalled the site visit undertaken to the Hammerson John Lewis store in Leicester and noted that the Leeds John Lewis would have three active facades – Eastgate, the Market and Victoria Quarter, unlike Leicester which had 2 main entrances and was adjacent to a very busy road.
- Members commented that the Panel would seek activity on all facades of the John Lewis store, and the detail of the Market facing door would be dealt with at Reserved Matters
- Sought clarity on where the buses would stop, and noted that stops would be adjacent to the Market, with passengers alighting on the Market side

The Panel then went onto discuss:

- Those diverted bus routes which would no longer terminate at the bus station/bus interchange
- Whether an alternative route to Duke Street could be used for diverted traffic
- Queried whether retail was intended within Little Templar Arcade
- Supported the suggestion that discussions continue on how to integrate the Millgarth site once the police PFI scheme was determined as the original scheme presented Eastgate as a boulevard/plaza towards the cultural quarter and Members were keen to ensure future treatment of the Millgarth corner made adequate connections to the cultural quarter and was integrated into the EHQ scheme
- Need to ensure high quality design as there would be a stark contrast between the Blomfield buildings and the new development
- Relationship between the John Lewis store and the Millgarth building
- Welcomed the design of the internal walkways shown on the indicative drawings
- Noted Victoria Quarter would provide the link between EHQ and the new Trinity development
- Commented that there would not necessarily be direct competition between the Market retail offer and EHQ retail offer
- Recognised that the issue of investment in the Market was not a matter for consideration with this application but would need to be addressed elsewhere within the Council
- Commented that the Bridge Street massing could be depressing and very tall, and whether it could be broken up by relocating the Templar Quarter access

The Highways Officer responded that the proposals would lead to a drop of 500 vehicle movements through traffic management and the loss of the public car park on George Street would result in its use mainly by service vehicles and buses. Pedestrianisation of Eastgate was feasible as there was capacity on the Ring Road for additional traffic

(Councillor Nash withdrew from the meeting at this point)

The Civic Architect confirmed that the John Lewis elevation facing Millgarth could be addressed at a later date if WYP relocated to the Elland Road headquarters; however that PFI scheme remained undetermined

(Councillor Nash re-joined the meeting)

The Senior Planning Officer responded that the new location of Marks and Spencers at Templar Quarter would ensure that active frontages were included within Templar Arcade.

Members further commented as follows:

- Welcomed the inclusion of the public square in the middle of the development
- Queried the necessity of the elevated walkway as there would be no traffic on Eastgate requiring a walkway. Officers responded that it was intrinsic to the John Lewis element of the scheme as it provided a direct link to the car park and also formed part of the pedestrian connections to the upper level arcade
- Expressed concern that a number of the rerouted buses would not have a destination point (ie the bus station) and the proposals serviced the EHQ rather than the city. Members and officers noted a suggestion that buses coming from the west of the city should access the bus station via Vicar Lane/New York Road/St Peters Street
- Considered that any development in that area would be beneficial to the Market however the design of the George Street buildings should be of similar quality to Eastgate elevations, taking care not to create a retail island around the Market
- Need to ensure that EHQ was sufficiently integrated into the rest of the Leeds retail offer to attract visitors to the rest of the city
- One Member commented on the negative publicity generated about Kirkgate Markets; and having recently visited the Market and been surprised by the retail variety and vitality urged the Friends to concentrate on the positive offer of the Markets
- Noted the request to ensure plenty of landscaping to the public realm
- Noted the request that there should be no demolition until a scheme was ready to commence on site

The Panel was largely supportive of the overall scheme and welcomed the fact that they had previously received update reports on the progress of and revisions to the scheme. Members requested that workshops be held during the design stage prior to submission of the Reserved Matters applications. Members noted the supplementary document sent after the despatch of the agenda containing a revised recommendation and

RESOLVED –

a) To note the following amendments to the report:

- Reference to Policy T2D to be added to Reasons for Approval after Policy T2C
- Paragraph 10.82 1). is to read “A Public Transport Infrastructure Improvements Contribution of £749,992.00 in accordance with Policies T2 and T2D as detailed in correspondence dated 9 June 2011 at Appendix 4”.
- To add after T2C in Appendix 2 “T2D states that there will be a requirement for developer contributions where public transport accessibility to a proposal would otherwise be unacceptable”.

b) Application 11/01000/OT – To defer the application and to delegate final approval to the Chief Planning Officer, subject to the specified conditions contained within the submitted report (and any minor variations and any others which might be considered appropriate) and following completion of a Section 106 Agreement to cover the following matters:

1. A public transport infrastructure improvements contribution of £749,992.00,
2. The employment and training of local people,
3. A Travel Plan monitoring and evaluation fee of £15,000.00,
4. The provision of an area defined for Kirkgate Market’s use only for traders parking, loading and unloading,
5. The provision, maintenance and the hours of public access of defined areas of public realm and landscaping,
6. The provision of 2 Leeds Car Club spaces and a contribution of £9,000.00 to fund a one year membership of the car club for employees,
7. A public realm and landscaping strategy,
8. The protection of the NGT public transport corridor.

In the circumstances where the Section 106 Agreement 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.

c) **Application 11/01003/LI** - To defer the application and to delegate final approval to the Chief Planning Officer, subject to the specified conditions contained within the submitted report

(Councillor A Blackburn withdrew from the meeting at this point)

6 Application 11/01194/FU - Demolition of all buildings and erection of a low carbon Energy Centre, Primary Substation, Transformers and a Gas Meter Unit; with associated works including the realignment of Ladybeck Close at the former Park Lane College Building, Bridge Street, 1-2 & 27-30 Ladybeck Close, Leeds LS2

Further to minute 93 of the meeting held 12th May 2011 when the Panel considered a position statement on the proposals, the Chief Planning Officer submitted a report on the application for determination. Plans of the site, elevations, artists impressions of the development in situ on the streetscene and slides showing proposed details of the cladding and colours of materials were displayed at the meeting. A Member site visit had taken place prior to

the meeting. Officers outlined revisions made to the scheme since the presentation on 12 May 2011 as being:

- Enhanced landscaping to the rear of the development
- Minor changes to the highways to provide better sight lines
- Reduction of 1.3 m in height to the south west corner
- Reduction in scale of panels to be used
- Height of the elevation facing Ladybeck hostel reduced by 1.3m for a 12 m length. Members noted that the height was now the minimum required for the unit to be operational

(Councillor A Blackburn re-joined the meeting)

Photographs showing elevations of other Leeds buildings and slides showing the proposed finish to the Energy Centre using those colours were displayed for reference. It was noted that conditions would cover materials and submission of 1:20 details of the mesh covering. Officers would also seek to secure treatment to enhance the appearance of the Ring Road retaining wall which was in the ownership of Leeds City Council by planning condition.

Officers reported receipt of two further letters of representation in support of the scheme.

Members discussed the following

- Previous request to relocate the Energy Centre elsewhere on the site. Officers responded the proposed location of the transformers near to the Ring Road was the best option due to the low hum they emitted. Additionally, the Energy Centre was required to support the EHQ development and views to it from the Market would be obscured by Eastgate. However the Civic Architect warned that the Centre would be visible if the EHQ scheme did not go ahead
- Colour of materials to be used
- Relationship of the Centre with other buildings in the locality
- Whether there was a health and safety risk in connection of the centre, noting the officer response that these aspects would be covered by relevant legislation and be addressed in the General Environment Management Plan
- The need to condition provision of screening works to the Ring Road elevation
- Whether works could be conditioned to fund noise attenuation works to the Ring Road Bridge parapet
- Noted the design of the Centre attracted diverse opinions

The Panel noted the revised wording to the recommendation contained within the supplementary document sent out after the agenda was despatched and

RESOLVED -

- a) That the application be granted subject to the specified conditions (and any minor variations and any others which might be considered appropriate).
- b) Noted that the 'Reasons for approval' should read:
The application is considered to comply with policies GP5, BD2, BD5, T2, CC4, N12, N13, N25, N26 of the UDP Review, as well as guidance contained within The Leeds City Centre Urban Design Strategy (September 2000), Eastgate and Harewood Supplementary Planning Document (October 2005),

Building for Tomorrow Today – Sustainable Design and Construction (Draft), The RSS for Yorkshire and Humber, PPS1 General Policies and Guidance, PPG13 Transport, PPS22 Renewable Energy, PPS23 Planning and Pollution Control, PPG24 Planning and Noise, PPS25 Development and Flood Risk. *The application has been fully considered in respect of its sustainability benefits, impact on amenity and the Environmental Statement and having regard to all other material considerations.*

7 Date and time of next meeting

RESOLVED – To note the date and time of the next meeting as Thursday 4th August 2012 at 1.30 pm