



## Report of the Chief Planning Officer

### PLANS PANEL CITY CENTRE

Date: 27<sup>th</sup> OCTOBER 2011

**Subject: PROPOSED ALTERATIONS INCLUDING RECLADDING OF CAR PARK, NEW SHOP FRONTS, AND CHANGE OF USE OF SHOPS AND MARKET TO FOOD, DRINK AND LEISURE USES (A1, A2, A3, A4, A5 AND D2 USES) INVOLVING RECONFIGURATION OF FLOORSPACE , MERRION CENTRE, MERRION WAY AND WADE LANE, LEEDS. REFERENCE 11/03424/FU**

#### APPLICANT

Town Centre Holdings Ltd

#### DATE VALID

7/9/11

#### TARGET DATE

7/12/11

#### Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

### RECOMMENDATION:

**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations; public transport contribution (amount currently being discussed and to be agreed); travel plan and monitoring fee £3000; employment and training initiatives; Section 106 management fee. In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.**

#### Conditions

- 1 3 Year Time Limit
- 2 Notification of Commencement
- 3 Development to be in accordance with approved plans.
- 4 Maximum limit of A4 (drinking establishment) 50% of overall floorspace.
- 5 Details of contractor's storage and parking.
- 6 Details of methods to control dirt, dust and noise during construction.

- 7 Construction times 0730-1900 weekdays and 0800-1300 on Saturdays
- 8 1:20 shopfront, cladding and aerofoil details.
- 9 Details and sample panel of all external facing and surfacing materials including glazing and louvre systems.
- 10 Cycle, motorcycle and disabled person's parking (20) to be provided.
- 11 Car park management details.
- 12 Details of hard and soft landscaping including paving treatment, steps, ramps, retaining walls, external lighting, bicycle storage lockers, balustrades, semi mature trees and tree grilles.
- 13 Implementation of hard and soft landscaping along Merrion Way and Wade Lane prior to occupation.
- 14 Landscape management details.
- 15 Remedial landscaping works if planting fails.
- 16 Car park lighting strategy details.
- 17 Location and appearance of the substation.
- 18 Storage and relocation of the Merrion Way mosaic for re-use.
- 19 Relocation of the Shopmobility facility.
- 20 Details of method, storage and disposal of refuse and litter.
- 21 Extract ventilation details.
- 22 Provision of a grease trap.
- 23 CEEQUAL sustainability statement very good to be achieved.
- 24 Post construction review of sustainability measures.

### **Reasons for approval:**

The application is considered to comply with Regional Spatial Strategy policies YH1, YH2, YH4, LCR1, ENV5, E1, E2, and E3; and Unitary Development Plan Review policies SA1, SA2, SA5, SA7, SA8, SA9, GP5, GP7, GP11, N12, N13, N23, N25, T2, T2D, T5, T6, T7A, T7B, T24, R5, A4, CC1, CC3, CC7, CC21, CC26, CC27, BD2, BD3, BD4, BD5 and LD1, and having regard to all other material considerations the application is recommended for approval.

## **1.0 INTRODUCTION**

- 1.1 The Merrion Centre provides approximately 75,000m<sup>2</sup> of retail, office, leisure, entertainment and car parking accommodation towards the northern fringe of the city centre. Parts of the Centre, such as the Merrion Market which was commenced during the 1960's, are becoming increasingly obsolete. In 2005 the applicant embarked upon a comprehensive programme of major refurbishment to upgrade and improve the Centre's offer. Over recent years over half of the shops have had new fit outs and Town Centre House has undergone major redevelopment. More recently, works have commenced on the south eastern corner of the Centre at the junction of Merrion Street and Wade Lane.
- 1.2 The proposed development consists of two principal elements :- internal and external works to the car park and the adaptation and refurbishment of units on Merrion Way and in the Merrion Market. The proposals seek to respond to both the existing condition and use of the building and also to the forthcoming opening of the arena to the north of the Merrion Centre.
- 1.3 The applicant's team presented emerging proposals to Plans Panel on 7<sup>th</sup> July 2011 following a Panel site visit. A summary of Panel's comments is included at paragraph 4.2. The application is brought to Plans Panel as the proposals involve major refurbishment and investment in a significant site within the city centre.

- 1.4 It is intended to commence construction of this £13m scheme in February 2012. The project is timed to be completed in March 2013 to coordinate with the opening of the arena.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The Merrion Centre comprises a number of medium and tall blocks located towards the northern edge of the city centre. The Centre contains a mix of uses including retail, offices, hotel and car parking. The earlier parts of the Centre, including the multi-storey car park, opened in the 1960's with buildings such as Merrion House and Morrisons following in the 1970's. After the addition of a roof over the shopping streets there was limited development until the formation of glazed entrances in the mid 1990's. In 2005 it was recognised that some of the accommodation no longer met the requirements for modern retail and commercial development. A strategy for the phased internal and external improvement of the Centre was prepared and presented to Plans Panel in 2006. A "masterplan" application was expected in 2007 but was postponed due to the prevailing economic climate. The first phase of the work was focussed on the south-western section of the Centre, including recladding of Town Centre House and shopfronts fronting Woodhouse Lane. Work is now underway on the south east corner of the Centre. The current proposals for the north eastern section of the Centre have come forward as the next phase of the development.
- 2.2 The north eastern section of the Centre is dominated by the multi-storey car park which presents a strongly horizontal banded element towards Merrion Way from where vehicular access is taken. The heavyweight concrete spandrel panels have an exposed pebble finish which has been covered in netting to prevent the fall of masonry. The car park sits over a lightweight ground floor horizontal band containing a mix of uses including shops and restaurants. A canopy projects over the wide footway to the west of the car park entrance shading the premises and the pedestrian access to the northern mall. This part of the frontage, which is classified as a Secondary Shopping Frontage, also contains access to the basement including the bowling alley.
- 2.3 The frontages of premises to the east of the car park entrance relate to units located within the Merrion Market. The Market has a high level of vacancy, with one of its longest standing occupiers Nevilles DIY, having vacated earlier in the year. There are four pedestrian routes into the Market, including through a single storey segment of the building which projects towards the junction of Merrion Way and Wade Lane. Levels fall gradually along Merrion Way towards Wade Lane, and down Wade Lane towards Merrion Street, such that accesses into the Market all need to be negotiated by a series of steps.
- 2.4 Pedestrian access to the 1050 space multi-storey car park is achievable via steps or a lift located between the northern mall and the Market; or from the central mall using an escalator to level 1. However, access for people in wheelchairs is currently limited by the physical constraints of the lift.
- 2.5 There are several trees located in a planter to the front of the Merrion Way elevation which, in conjunction with trees on the north side of the road, help to give the street a valuable green appearance. A two storey podium building, currently occupied by Wetherspoons public house and the Grosvenor casino, is located north of the greenspace on Merrion Way. It is flanked by Tower House, a 19 storey office building dating from the 1960's, and the Yorkshire Bank office building. The Leeds Arena is currently being constructed to the north of these buildings.

### **3.0 PROPOSALS**

- 3.1 The proposals for the redevelopment of the Merrion Market area and the refurbishment of the multi storey car park are designed to enhance the appearance of the area; to reinforce the importance of the location, and to capitalise on the changing dynamics of the area. They are referred to as the “New Front”.
- 3.2 The multi storey car park
- 3.2.1 Despite a regular regime of inspection and repair the car park is in need of major refurbishment. The perimeter beams acting as integral balustrade walls are beginning to lose their flint cobbles which were cast into the panel face. The superstructure and parking decks are suffering from prolonged water ingress. Both vehicular and pedestrian access are also constrained by the existing arrangements. The proposals are therefore intended to address both the condition of the existing structure and to improve the functionality and appearance of the car park.
- 3.2.2 The perimeter concrete upstands will have a simple aluminium overcladding added. On the more prominent Merrion Way and Wade Lane elevations a rhombus steel framing grid will also be added. The frame will incorporate LED feature lighting which has the ability to change colour. The car park will, however, remain open sided reducing the need for mechanical ventilation whilst maximising natural ventilation and light penetration.
- 3.2.3 A new circulation core is proposed which would house a new stair and twin 21 person lifts. The core would provide access to all even levels of the car park. Ground floor access to this core would be at the junction of the northern mall and the existing Georgian arcade. The existing 6 person lifts will be refurbished and extend to 8 person lifts. Additionally, a new escape stair tower will be added to the Wade Lane elevation.
- 3.2.4 The existing arrangement for one barrier on entry and two barriers on exit will be improved with the provision of an additional barrier. The barrier will operate tidally providing an extra entry lane or exit lane, as required. The car park will maintain a “pay on foot” ticketing system where a ticket is automatically issued on entry. However, it is intended that tickets for the car park for arena events will be available in advance. Automatic number plate recognition cameras will be used to register advance ticket holders enabling access through the barriers with minimal delay.
- 3.2.5 New pedestrian lifts and staircases to the car park are proposed. These include a new circulation core which would be located at the eastern end of the existing Georgian Arcade. Two lifts would be situated at the corner of what is currently the Shopmobility unit. The remaining area is identified as a customer care facility. A new staircase would be located opposite the lifts close to where the existing herbal remedies and alternative treatments premises is located.
- 3.2.6 At pre-application stage it was stated that the number of total spaces (1050) is likely to reduce by around 100 primarily as a result of increasing the dimension of the spaces. It is now intended that the number of existing spaces is largely maintained. There will, however, be an additional 8 disabled persons parking spaces within the car park.
- 3.2.7 It is proposed to provide 15 long stay cycle spaces within the service area to the rear of the development. Showers are provided in Wade House. Short stay cycle

facilities would be provided on Merrion Way. Motorcycle anchor points will be provided within the car park.

### 3.3 Commercial units

3.3.1 The Merrion Market area has been in slow decline for a considerable period. The units also primarily look inwards affecting vitality and vibrancy around the junction of Merrion Way and Wade Lane. It is proposed to reconfigure the space and adjacent units fronting Merrion Way to provide 6 new units. The units would be developed as shells with planning permission sought for a wide range of commercial uses (A1, A2, A3, A4, A5 and D2) intended to provide flexibility to accommodate changing market demands. A customer care area will also be provided for the Merrion Centre and the car park adjacent to the new circulation core.

Proposed floorspace				
Level	Unit	Use class	Floorspace m <sup>2</sup>	
B1	013	D2/A4	2795	
	01-02	D2/A4	1013	
00	01-02	D2/A4	927	
	03	A1/A2/A3/A4	446	
	04-05	A1/A2/A3/A4	1207	
	06	A1/A2/A3/A4	594	
	013	D2/A4	78	
	07	A1/A5	39	
	88/90	A1/A3	168	
	08	A1/A2/A3	53	
	92/7	A1/A2	63	
	55/57	A1	197	
	Plant area	Sui Generis	151	
	01	88/90	A1/A3	207
		08	A1/A2/A3	110

3.3.2 The internal reconfiguration is expressed externally by new glazed shopfronts which extend around onto Wade Lane replacing the existing blank frontage. The existing canopy to the west of the car park access would be removed. New double height glazed shopfronts would be introduced. Shopfronts to the east of the car park entrance will project forward of the existing building line by 1 metre to provide greater visibility. An outdoor seating area is envisaged to the front of these units with steps up from Merrion Way. A new ramp would be introduced to the front of the corner unit.

3.3.3 Key pedestrian and vehicular entrances are defined by aluminium aerofoil section louvres which extend up through the elevation to denote the entrance and reduce the perceived scale of the multi-storey car park.

### 3.4 Public realm

3.4.1 The proposals for the public realm endeavour to improve the existing condition around Merrion Way and Wade Lane.

3.4.2 It is intended to remove the existing 5 trees to facilitate works to the building. 8 new trees are proposed along Merrion Way. Semi-mature Hornbeam and flowering pear

species have been specified. They will be planted in suitably designed tree pits to ensure that they thrive and enhance the appearance of the streetscene.

- 3.4.3 Existing pavements around the New Front are to be replaced. Although the details of treatment are subject to a planning condition, high quality materials are to be used to enhance the appearance of the area. A pedestrian crossing point will be designed to assist pedestrian movement across the front of the car park access.

## **4.0 PLANNING HISTORY**

4.1 The multi-storey car park is one of the earliest parts of the Centre, opened in 1964. A strategy for the phased improvement of the Centre was presented to Plans Panel in 2006. Early phases of this work focused on the south west corner, including Town Centre House.

4.2 The applicant's team presented emerging proposals for this part of the Centre to Plans Panel on 7<sup>th</sup> July 2011 following a Panel site visit. The Plans Panel commented on the following matters:

- What provision is being made for existing tenants? Independent retailers should be encouraged.
- Changes in levels need to be appropriately accommodated.
- Is it necessary to retain the existing building? What condition is the concrete structure in? There is an opportunity to be bolder. The eastern single storey end of the building looks incongruous.
- The existing trees complement the street. Merrion Way is important and should be enhanced with more trees
- Why is it necessary for the ground floor to project forward? Are there alternatives?
- The murals should be retained.
- What is the current car park occupancy?

## **5.0 CONSULTATIONS**

### **5.1 Statutory**

LCC Highways (4.10.11) No concerns are raised regarding the impact on the transport network brought by the conversion of the existing retail space. Further information is required regarding the likely capacity of the car park and car park barriers and the proposed management of traffic during peak demand periods.

The surface of the car park access should be block paved to help highlight the pedestrian desire line. Additional short and long stay cycle provision is required. Provision should also be made for motorcycles.

Parking bays are difficult to access due to their limited dimensions but as they maintain the existing arrangements an objection would be difficult to justify.

### **5.2 Non statutory**

Leeds District Police ALO (23.9.11) The development is in an area which suffers crime at a rate in excess of twice the national average. Doors and windows should be in line with the requirements of the UK Police Flagship Secured by Design scheme.

LCC Access (28.9.11) The access ramp has a steep gradient and should be designed as a ramp. Clarification should be sought regarding the reasoning for just 12 disabled persons parking bays. Steps and the car park crossing should be designed to assist blind and partially sighted people. It is important that suitable accommodation is found for the Shopmobility service.

LCC Travelwise (4.10.11) The travel plan needs to be revised to include details of long stay cycle facilities, shower and changing facilities, motorcycle parking, car share parking bays, electric vehicle charging points and pedestrian through routes. Arrangements for staff parking should be clarified. A travel plan coordinator needs to be appointed following implementation of the development on a long-term basis. The travel plan should be included in the S106 agreement and a review fee of £3,000 is needed.

LCC NGT (4.10.11) The development will generate a large number of trips of which a proportion will have to be accommodated on the public transport network. As a flexible permission is sought, contributions to public transport are required depending upon the extent of different uses.

LCC Environmental Protection Team (3.10.11) No objections in principle subject to conditions regarding noise during construction and operation of the premises.

LCC Licensing (28.9.11) The units should apply for a premise licence. The centre is situated within the Cumulative Impact area.

## **6.0 PUBLIC/LOCAL RESPONSE**

6.1 Site notices advertising the application were erected on Merrion Way and Wade Lane on 16<sup>th</sup> September 2011. The application was also advertised as a Major development in Leeds Weekly News on 22<sup>nd</sup> September.

6.2 Leeds Civic Trust (5.10.11) The need to refresh the Merrion Centre is clear. The improvements at street level to shopfronts, vehicular and pedestrian access, and to interior lighting and security are welcome.

Additional information is required regarding the colour, finish and lighting of the overcladding system. As the rear elevations are not to be clad at all the final appearance will lack design integrity. More and larger trees are required. LCT also asks whether there are opportunities for public art in this part of the Centre.

6.3 Additional comments were received from LCT on 17<sup>th</sup> October 2011 following a meeting with Town Centre Securities.

- The improvements to Merrion Way, the provision of more active frontages, and to the functioning of the car park are welcomed.
- LCT is surprised that routes through the Centre will remain closed when the arena is in use.

Response – Whilst it is generally desirable that routes through the city centre remain open to public use, shopping centres within the city close for reasons including public safety, security, management and cleansing. Even if routes through the Merrion Centre were to be opened routes through subsequent centres, such as St John's Centre, would remain closed. Consequently, the arena pedestrian signage strategy will be to direct people along main routes and public highways rather than through private property. As the Merrion Centre approach is to locate active nighttime uses onto the periphery of the

centre with improved public realm around the periphery of the Centre it is not necessary for the purposes of this scheme to re-open the Centre at nighttime.

- The crossing point to the front of the car park needs to be carefully designed to give pedestrian priority.

Response – Revised plans show an improved approach.

- LCT is disappointed that no plans are in place for public toilets in the scheme.
- Response – The units will have toilets within them that could be used. There will also be toilets within the arena.

- The car park cladding could be even more imaginative.

Response – The architects have developed a scheme following input from the Civic Architect and the Design Officer which will enhance the existing appearance of the car park.

- The relocation of the mosaic and Shopmobility unit should be a planning condition.

Response – Condition 18 refers to the storage and relocation of the mosaic. TCS intend to relocate the Shopmobility facility within the proposed Customer Service Centre (condition 19).

- 6.4 One letter has been received strongly supporting the proposals, including the car park lighting scheme and the glazed shop frontages. It is suggested that the car park cladding should wrap around the entire structure, and that granite clad pilasters should be used between the shop units.

## **7.0 POLICY**

- 7.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Regional Spatial Strategy (May 2008) and the Unitary Development Plan Review 2006 (UDPR).

### 7.2 Regional Spatial Strategy

- 7.1.1 The Regional Spatial Strategy (RSS) sets out the strategic priorities for the region until 2026. A number of the policies in the RSS are relevant to the proposal emphasising the role of Leeds as a regional centre, the need for a quality environment with encouragement to the reuse of previously developed land, and the role of city and town centres as the focus for activity.

- 7.1.2 The overall approach of the RSS highlighting the importance of achieving more sustainable patterns and forms of development, investment and activity is set out in Policies YH1 and YH2. Policy YH4 indicates that regional cities should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region. Regional cities should develop a strong sense of place with a high quality public realm and well designed buildings within a clear framework of routes and spaces.

- 7.1.3 LCR1 states that the role of Leeds as a regional city should be developed by accommodating significant growth in jobs and homes and continuing to improve the city centre's offer of high order shops and services (A2); supporting the roles of Leeds and Bradford as major engines of the regional economy (B1); connecting disadvantaged communities to job opportunities (B4); and ensuring strategic patterns of development maximise the opportunities to use non car modes of transport and reduce the overall need to travel (D1).



7.1.4 Policy ENV 5 promotes energy efficient buildings. Policy E1 encourages investment in locations where it will have the maximum benefit and secure competitive advantage (B); improve links between job opportunities, skills development, business investment and the needs of excluded communities. Policy E2 indicates that the centres of Regional Cities should be the focus for leisure, entertainment, arts, culture, and tourism across the region (A). Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre (B). Proposals should make use of appropriately located previously developed land (E3).

7.1.5 The Regional Transport Strategy forms part of the RSS. Policy T1 identifies aims for personal travel reduction and modal shift to modes with lower environmental impacts. Policy T5 states that access to all main destinations should be improved. Access for all groups in society should be enhanced (B1).

## 7.2 Unitary Development Plan Review (UDPR)

7.2.1 The Merrion Centre is situated within the Prime Shopping Quarter in the UDPR. The Merrion Way frontage is identified as a secondary shopping frontage.

SA1 Protect and enhance the quality of the environment.

SA2 Encourage development in locations that reduce the need for travel.

SA5 Ensure that a wide range of shops is available in locations where there is a choice of means of transport.

SA7 Promotes the physical and economic regeneration of urban land and buildings.

SA8 Ensure that all the community have safe and easy access to facilities.

SA9 Promotes the development of the city centre.

GP5 Detailed planning considerations to be resolved

GP7 Planning obligations

GP11 Development must meet sustainable design principles

N12 Priorities for urban design

i Development should create a series of linked and varied spaces defined by buildings and landscape elements

ii New buildings should be of good design

iii Developments should respect the character and scale of buildings and the routes that connect them.

iv Movement on foot and bicycle should be encouraged.

v Developments should assist people to find their way around.

vii Design and facilities should reflect the needs of those with restricted mobility.

viii Visual interest should be encouraged.

ix Development should be designed to reduce the risk of crime.

N13 All new buildings should be designed to a high quality and have regard to the surroundings. Contemporary design will be welcomed.

N23 Space around new development should provide a visually attractive setting. Existing features which make a positive contribution should be retained.

N25 Boundaries of sites and paving materials.

T2 New development to be adequately served by highways and not to materially add to problems of safety, environment or efficiency on the highway network; be capable of being adequately served by public transport; to make adequate provision for cycling

- T2D Developer contributions where public transport accessibility would otherwise be unacceptable.
- T5 Satisfactory safe and secure access for pedestrians and cyclists.
- T6 Provision for people with mobility problems.
- T7A, T7B, T24 Cycle parking, motorcycle parking requirements and car parking guidelines.
- R5 Opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.
- A4 Design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.

7.2.2 City Centre policies seek to encourage a more vibrant, high quality environment together with enhancement of public spaces with improved access for all. These objectives are expanded in the following policies:

- CC1 Planning obligations in the city centre.
- CC3 Character of the city centre maintained by encouraging good design of buildings and spaces and upgrading the environment.
- CC21 Shopping will be supported as the principal use in the Prime Shopping Quarter.
- CC26 Support will be given to the provision of new cultural, entertainment and recreational facilities.
- CC27 Identifies principal use quarters, including the Prime Shopping Quarter. Proposals for other uses in the quarter will be encouraged which:
  - i Service the quarter
  - ii Add variety in land use and contribute to the vitality of the city centre.
  - iii Support the attractiveness of the area for the principal use.
 Food, leisure and entertainment uses are identified as uses that might be appropriate.

### 7.2.3 UDPR Appendices

Policies within the appendices typically elaborate policies in the main document. Policies BD2, BD3, BD4, and BD5 identify building design requirements. LD1 sets out requirements for landscape schemes.

SF3 considers the change of use of retail shops in secondary frontages to non-retail uses indicating that such a change may be acceptable where the proportion of retail frontage remains sufficient to sustain the retail function of the parade. The supporting text notes that food and drink uses are most important in supporting the City Centre's regional shopping and tourism role.

## 7.3 Supplementary Planning Guidance, other guidance and emerging policy

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

The proposed development falls within the Retail and Entertainment Area of the design guide. The guide promotes night time uses and lively activity; the retention and enhancement of existing buildings; the enhancement of spaces and permeability; the improvement of the edge of the area (Merrion Centre).

### 7.3.2 Public Transport Improvements and Developer Contributions SPD (August 2008)

The SPD identifies the need for, and scale of, developer contributions in order to bring forward required enhancements to strategic public transport infrastructure in accordance with PPG13, and UDPR.

#### 7.4 National Policy

##### 7.4.1 PPS1 Delivering Sustainable Development (January 2005)

Planning should facilitate and promote sustainable patterns of development.

##### 7.4.2 PPS4 Planning for Sustainable Economic Growth (December 2009)

Policy EC4.1e of PPS4, Planning for Town Centres, refers to retaining and enhancing existing markets. PPS4 also states that a positive and constructive approach should be adopted by local planning authorities towards planning applications for economic development (EC10). This policy was supplemented in the Minister of State's statement of 23<sup>rd</sup> March 2011 in which he stated that local planning authorities should be sensitive to the fact that local economies are subject to change and so take a positive approach to development to support economic growth.

##### 7.4.3 PPG13 Transport (March 2001)

Key objectives of the PPG are to encourage more sustainable patterns of development and to reduce the need to travel by private car.

## 8.0 KEY ISSUES

1. Principle of development
2. Building and landscape design
3. Transport
4. Diversity and equality
5. Sustainability
6. Section 106

## 9.0 APPRAISAL

### 9.1 Principal of development

9.1.1 The Merrion Market has been in slow decline for many years and there is a high level of vacancy. This has a negative impact upon vitality and vibrancy around the northern edge of the Merrion Centre.

9.1.2 At ground/basement level a flexible planning permission is sought which would enable a wide range of commercial uses (A1, A2, A3, A4, A5 and D2) to be introduced along the Merrion Way frontage. The amount of A4 floorspace would be limited to 50% of the total floorspace such that there would be a mix of uses. The proposed uses are intended to capitalise and respond to the additional footfall of the arena development. The uses also respond to changes in modern retail requirements, the continuing shift in the city's retail core, and the intention to cater for existing stakeholders in the area. Increased vitality in premises along Merrion Way would also help to support the retail function of the Merrion Centre as a whole.

- 9.1.3 The proposed uses would reinforce the function of this part of the city centre as a major cultural and visitor centre in accordance with RSS policies YH4 and E2. The uses also recognise UDPR policy CC27 which encourages other uses in the Prime Shopping Quarter which add variety in land use and contribute to the vitality of the city centre. Food, leisure and entertainment uses are identified in the UDPR as uses that might be appropriate. Strategic UDPR policies also promote the sustainable location of leisure facilities SA6 and SA8.
- 9.1.4 Although there is a potential that all A1 retail units could be lost along the frontage it is considered that the proposals will contribute to the overall vitality and vibrancy of the area and are therefore considered to accord with the overall aims of the Development Plan. The principle of development is therefore acceptable.
- 9.2 Building and landscape design
- 9.2.1 The Merrion Centre is a composition of distinct building elements largely dating from the 1960's. Many of the units on the northern edge presently turn their back on Merrion Way / Wade Lane affecting the appearance and the vibrancy of the area. Upper levels of the building are dominated by the heavyweight pebble finish concrete panels of the car park which is in need of significant investment to extend the life of the car park. Demolition and rebuilding is not an economically viable option. Consequently, there is a need to refresh this part of the Merrion Centre as acknowledged by the Leeds Civic Trust.
- 9.2.2 Despite a programme of annual repairs the car park is in need of more substantial works to enable it to perform its current function and an enhanced function going forward. As noted, demolition is not a viable option. Further, the existing cladding panels support other beams and act as structural beams and would be very difficult to replace. Consequently, it is intended to enhance protection of individual elements where possible.
- 9.2.3 Overcladding the existing structure will protect the existing structural fabric whilst also providing additional interest to Merrion Way and Wade Lane. The cladding system will also extend along the elevation fronting the service road as far as the bridge link to the Merrion Hotel. A lighting scheme, which has the ability to change colour, will add additional interest to the car park elevations at night-time.
- 9.2.4 At ground level full height glazing will provide a consistency to the commercial podium. The extension of the glazing around the Wade Lane corner will significantly increase the active street frontage in a highly visible location. The decorative mosaic panels will be carefully removed and stored for re-use in the Centre at a later date.
- 9.2.5 The building design proposals will significantly improve the appearance of the northern end of this part of the Merrion Centre and accord with policies in PPS1 and UDPR policy SA1, N12 and N13.
- 9.2.6 Landscaping and public realm
- 9.2.7 The proposals involve the removal of existing trees located towards the eastern end of the Merrion Centre which contribute significantly to the appearance of Merrion Way as well as reducing the visual impact of the multi-storey car park. 8 new semi-mature trees (6 hornbeam and 2 flowering pear) are identified to replace those 5 to be removed. The species chosen are shade tolerant and have a narrow compact canopy intended to provide a strong vertical rhythm against the car park façade. The trees will be spaced so as to create a continuous line of street trees along Merrion

Way from the Northern Mall to Wade Lane and would provide a balance to the trees on the northern side of Merrion Way. Consequently, the soft landscaping proposals will enhance the existing streetscene.

9.2.8 The scheme identifies the replacement and upgrading of the existing pavement around the building. Two high quality surfacing materials are intended to be used with a granite strip at the transition point. The improvement of this space improves the setting to the building. It also assists in bringing forward a high quality and consistent surfacing treatment within the area.

### 9.3 Transport

9.3.1 The application was accompanied by a Transport Statement which identifies the transport impacts of the development proposals. Due to the flexible planning permission sought a wide range of trip generation scenarios could result. However, no concerns are raised regarding the impact on highway safety or congestion.

9.3.2 Whilst additional trips are expected if there is significant A3/A4 use some of the uses will be linked to existing trips, including arena events. A public transport contribution is sought taking into account existing trips and regeneration impacts in line with the adopted SPD.

9.3.3 It is intended to form an additional entry barrier into the car park which would be used as an additional entry or exit lane as required. Additionally, it is intended that an Automatic Number Plate Recognition system is utilised to help cope with additional demand that is expected when arena events are taking place. The capacity of the ramps and isles within the car park to accommodate periods of high demand is considered acceptable. It is important that suitable measures are put in place to ensure that should the entry/exit system fail congestion does not occur.

9.3.4 The site is well located in relation to the public transport network with many nearby bus stops to be improved as part of the arena proposals. Similarly, pedestrian access around the site and into the city centre is good. In addition, the application was accompanied by a Travel Plan aimed at reducing car use.

9.3.5 The Travel Plan includes the following measures:

- High quality public realm around the periphery of the site
- 15 long stay secure and covered cycle spaces
- Provision of motorcycle anchor points within the car park
- 10 electric car charging points in the car park
- Potential allocation of spaces and discounts for car sharers
- Appointment of a permanent travel plan coordinator 6 months before occupation
- Surveys, annual monitoring reports, and funding for additional travel plan measures as required.

A travel plan monitoring fee is to be secured by a clause in the section 106 agreement. It is considered that the Travel Plan measures are acceptable.

## 9.4 Diversity and equality

- 9.4.1 There are currently 12 disabled people's car parking spaces within the car park although due to the dimensions of existing lifts these are difficult to access by people in wheelchairs. The proposed lifts would be designed to current standards and make the car park far more accessible. Additionally, it is proposed to introduce an additional 8 disabled people's car parking spaces within the car park.
- 9.4.2 Access into the north east corner of the Centre will be improved through the provision of a new ramp which will be incorporated within new hard landscaping on the northern edge.
- 9.4.3 The construction of the new circulation core adjacent to the northern mall would affect the existing Shopmobility unit. It is intended to relocate the Shopmobility facility within the proposed Customer Service Centre. The proposals involve the loss of the Merrion Market. The applicant has been discussing the relocation options and future arrangements with existing tenants. Some tenants have expressed a desire to be relocated. Town Centre Securities is working closely with those tenants to develop suitable options for the future.

## 9.5 Sustainability

- 9.5.1 The site is located in a highly sustainable city centre location and would involve the re-use and refurbishment of existing building fabric. The majority of the building fabric will be re-used thereby minimising the environmental impact. Modern construction methods will be used to minimise material wastage. Other measures to minimise energy use and CO<sub>2</sub> emissions include:

- Natural ventilation to the car park
- Energy efficient lighting
- Improved building fabric specification to commercial units
- Air source heat pump heating and cooling, and heat recovery to the management office.
- Low energy lifts
- 10 electric vehicle charging points
- Cycle storage provision for staff and customers

- 9.5.2 CEEQUAL is the environmental method and awards scheme for improving sustainability in civil engineering and the public realm. A CEEQUAL pre-assessment has been carried out which indicates that the project has the potential to achieve a "Very Good" rating.

## 9.6 Section 106

- 9.6.1 The Section 106 agreement will include the following:

- Public transport contribution. Due to the flexible permission sought the contribution will relate to how the floorspace is used. The amount of the contribution was still being discussed when this report was drafted.
- Implementation of Travel Plan and evaluation fee £3000
- Employment and training initiatives
- Section 106 management fee

9.6.2 The Section 106 obligations are compliant with the Community Infrastructure Levy Regulations 2010 Statutory Tests.

## 9.7 Conclusion

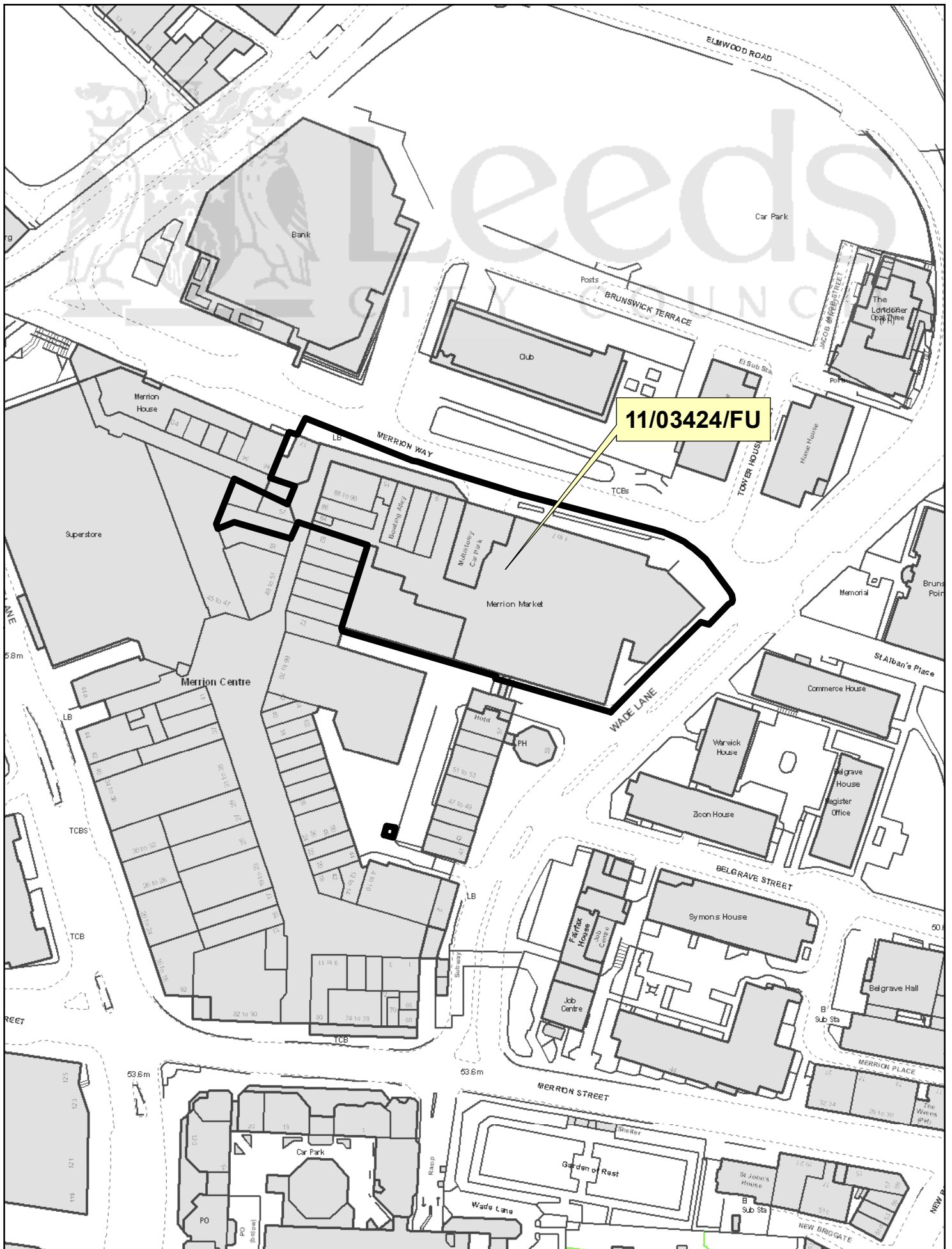
9.7.1 When approving the arena development on the northern fringe of the city centre it was hoped and envisaged that it would act as a catalyst for investment and regeneration of the area. In particular, it was expected that the arena would help to sustain and develop supporting functions such as hotels, restaurants and related businesses. These proposals introduce uses which reflect those ambitions and in doing so will create a significant number of jobs. At the same time the New Front proposals involve a major investment in the building fabric and public realm which respond to the ongoing masterplan for the refurbishment of the Merrion Centre and in doing so enhance the appearance of the area.

9.7.2 The proposals accord with the Development Plan and other material planning guidance. Accordingly the application is recommended for approval subject to appropriate conditions and the completion of a Section 106 agreement.

### **Background Papers:**

Application file 11/03424/FU

Certificate of ownership: notice served on Leeds City Council



# CITY CENTRE PLANS PANEL

