



Leeds
CITY COUNCIL

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Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27TH September 2012

12/03408/ADV, DIGITAL MEDIA SCREEN TO SHOPPING CENTRE

&

12/03409/FU, VARIATION OF CONDITION 45 OF APPLICATION REF NO 11/03290/FU (CHANGE OF USE FROM RETAIL (A1) TO FOOD AND DRINK, HEALTH CLINIC AND LEISURE USES (A3, A4, D1/D2) AND ANCILLARY MALL SPACE; ASSOCIATED PUBLIC REALM WORK, EXTERNAL ALTERATIONS INCLUDING IMPROVED ENTRANCE TO EXISTING SHOPPING CENTRE AND ASSOCIATED WORKS AS A REVISION TO PLANNING REF NO. P/09/1742/FU) FOR A MINOR MATERIAL AMENDMENT TO MODIFY THE ALIGNMENT OF THE BOND ST/ALBION ST CORNER AT FIRST AND SECOND FLOOR LEVELS TO ACCOMMODATE A DIGITAL MEDIA SCREEN

APPLICANT

Land Securities Trinity Ltd

DATE VALID

7/8/12

TARGET DATE

2/10/12 and 6/11/12

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:**12/03408/ADV**

DEFER AND DELEGATE to the Chief Planning Officer for approval, subject to the specified conditions and following completion of a Section 106 Agreement to cover the City Council's use of the screen for the advertising of public events and community related issues and information:

1. The screen hereby approved shall only be used for the display of commercial advertising and shall at no time be used for the display of sporting or entertainment events.

R. The Local Planning Authority is mindful of the fact that the screen faces out in to a busy cross roads and that the gathering of a crowd in this area may hinder the free flow of pedestrians on the public highway.

2. For the avoidance of doubt, there will be no playing of music or speech or other amplified sound in connection with the screen whatsoever.

R. For the avoidance of doubt and in the interests of amenity.

3. The brightness of the screen shall be no greater than 6,000 candela per sq metre unless otherwise agreed in writing by the Local Planning Authority.

R. In the interests of visual amenity.

12/03409/FU

DEFER AND DELEGATE to the Chief Planning Officer for approval, subject to the specified conditions attached to previous permission 11/03290/FU contained in Appendix 1 of this report, the expiration of the public notice period and following completion of a Deed of Variation of the existing Section 106 attached to previous permission 11/03290/FU which ensures the obligations attached to that permission are brought forward and applied to this.

1.0 INTRODUCTION:

1.1 This report should be read in conjunction with the umbrella report to this Plans Panel concerning the two sites for which digital media screens are proposed.

2.0 PROPOSAL:

2.1 12/03409/FU: This is a full application which amends previous permission 11/03290/FU through the introduction of a splay to the first and second floor glazing to replace a previously angled corner. The screen is to be located within this splay. As part of the already approved scheme the ground floor Boots entrance is to be set back from its existing position and this exposes 2 structural columns which become entrance features. The upper floors are to be used for restaurant and leisure uses, most notably the first floor which is to be branded as Trinity Kitchen.

2.2 12/03408/ADV: An advertisement application for the introduction of a digital advertising screen 6.1m x 3.6m in to the splay corner at first and second floor levels. The applicant has stated that this screen size is an industry standard and is necessary to make the screen commercially viable. The pattern of glazing bars would be amended to incorporate the screen retaining a 0.3m clear glazed area around it. This would be in addition to the large clear glazed elevations to Bond St and Albion St which sit to either side.

2.3 The screen would be in the same plane as the surrounding glazing and therefore would not appear as a surface mounted addition. It's structure is not as deep as the surrounding frame and therefore there would be no view of the sides of the screen through the glass, although the rear of the lower part of the screen would be visible when viewed obliquely through the glass. This area would be used to project images

on to from within the Trinity Kitchen area. As this is within the building it is outside the control of the Planning Authority.

- 2.4 The screen would display commercial advertising and the applicant has confirmed that it would not be used to promote advertisements of a political, religious or unsightly nature or any tobacco products. The luminosity of the screen is the same as that which operates in Millennium Sq which is necessary to make the image clear in daylight. During the hours of darkness, when the same level of intensity is not required, the brightness of the screen will be reduced and this also assists in making the screen more energy efficient. There would be no sound associated with the display.
- 2.5 At the time of writing this report the applicant has offered Leeds City Council a package of time on the screen which would equate to £100,000 of advertising per year at current commercial rates. The applicant has stated that this would equate to different amounts of time depending on how the time is used. Examples include:
1. Eight, two week campaigns a year where the City Council's 10 second message is repeated approx every 3 minutes for 12 hours a day, or:
 2. Two minutes every day at any time and divided in any way over a 12 hour period for 365 days a year

The applicant has stated that there are many different ways of utilising the £100,000 of air time and that, in addition to the above, the operator's track record is very good on the provision of extra hours. This means that the City Council could potentially benefit from the same amount of air time again but for free. However, this is dependant on the existence of unsold commercial display time.

- 2.6 The applicant has also made it clear that the screen operator has experience of operating screens in other core cities and already works closely with these to ensure that the screen serves the community rather than simply containing advertisements. Examples of specific displays are, a digital poppy shower on remembrance day and a Hillsborough victims memorial in Liverpool, appeals for missing persons in London and advertising charity fund raisers in Manchester.
- 2.7 The applicant has advised that the screen and associated land deals with occupiers enables the cut back of the ground floor corner to take place outside the current Boots entrance. This brings more space in to the public realm and helps to improve the gradients in the area. It also enables the opening up of the view into the upper floors of the building to the Trinity Kitchen unit to create a more vibrant appearance.

3.0 SITE AND SURROUNDINGS:

- 3.1 This is at the north-eastern corner of what was formerly the Leeds Shopping Plaza and will eventually be part of the Trinity retail scheme. It has retail frontages to both Bond St and Albion St and also contains one of the main Trinity access points adjacent to the entrance to Boots. The building is currently being re-elevated and the overall mass and form of the new structure is clearly in evidence to the point where architectural details are now visible and the scale of certain elements of the elevation can be easily assessed. Currently the originally approved angled corner is in evidence, however, it would be the intention of the applicant to remove the necessary structure and introduce new steels in order to create the splay feature.
- 3.2 The proposal is located on the south-western corner of a major crossroads in the pedestrianised area of the city centre retail core. The north-western corner is

occupied by the West Riding House retail and office scheme and the Next retail unit, the south eastern corner by a mix of retail and bank occupiers in a terrace of 3-4 storey buildings and on the north-eastern corner is the Grade II listed 48 Albion St which is currently occupied by Starbucks.

- 3.3 The corner is viewed principally from the north along Albion St where all of the buildings along the eastern side between Commercial St and Albion Place are Grade II listed and from the east along Commercial St where all of the buildings on its northern side between Lands Lane and Albion St are Grade II listed except for the former Leeds Library which is GII* listed.
- 3.4 This corner has already received the upgraded Yorkstone public realm treatment and this is being extended along the whole length of Albion St down to Boar Lane, with works currently under way and being undertaken by the applicant. There are trees in place outside the Next retail unit which partly obscure the proposed screen location when viewed from the north.
- 3.5 The Leeds City Centre Conservation Area boundary runs along Albion St with the application site being located just outside. However the corner is clearly visible from those areas described above which are within the Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The concept of a media screen on Trinity West was originally presented to Members at pre-application stage in 2009 when a screen was indicated on the corner above the BHS entrance on Boar Lane. However, this proposal was abandoned by the applicant and no application was subsequently received.
- 4.2 The amendments to the corner glazing and a media screen, which form the basis of the current applications, were the subject of a pre-application presentation to Members at Panel in April this year. At that time the screen measured 5m x 2.9m although it was made clear that this was not the final scheme and that the screen was likely to be increased in size. The questions which Members were asked and the minuted responses are set out below.

1. Is the newly configured Albion St/Bond St entrance area acceptable?
Member response: Members felt the reconfigured Albion Street/Bond Street entrance area to be acceptable and an improvement and this does not need to be brought back to Panel for determination.

2. Is the introduction of the digital screen acceptable within the context of the above new entrance configuration? Members will be aware that, if considered to be acceptable, this would be the first example of this form of advertising in the city.
Member response: The introduction of a digital screen as discussed was felt to be acceptable in principle if integrated as part of the design. However Members wanted the final details of this to be brought to Panel for Determination.

- 4.2 Improvements to the Bond St entrance to Trinity West by cutting back the building line of the current Boots entrance as well as the use of the upper floors of this part of the building for food and leisure related uses was approved by application ref no 11/03290/FU. This was subject to a Section 106 agreement which controls a public realm contribution, a contribution to public transport infrastructure, the requirements of the approved travel plan and local employment initiatives.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Pre-application discussions commenced in late 2011 and resulted in the pre-application presentation to Plans Panel set out above.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 12/03409/FU advertised as a major application by site notice posted on 31st August 2012 and in the press on 13th September 2012. The press notice does not expire until 4th October 2012 which is one week after the Panel date. This application cannot be determined prior to that date and therefore the recommendation is to defer and delegate the final decision to officers.

6.2 A letter of representation has been received from Leeds Civic Trust (LCT) which makes the following points:

- Supports the new uses and the more open glazed appearance of the corner. The greater amount of public area to the corner is of particular benefit given the likely increase in footfall.
- Objects to the digital display stating that whilst this is a new medium which may become more popular, the LCT consider it to be as inappropriate as large sheet poster advertising. The Images show a static display but this is not representative of what will actually occur i.e. moving commercial advertisements. "This may be appropriate for Piccadilly Circus or Times Square but not for a site opposite the conservation area and dominating the view from the historic streets." "There may be a location where we could have our own Piccadilly Circus but Albion St is not that place." It also appears to be a bolt on addition and not integrated.
- They consider that in view of the fact that there are 2 applications currently under consideration it is essential that the City Council frames a comprehensive policy for these digital displays. "There should be appropriate public discussion of such a policy prior to any ad hoc approvals around Leeds city centre."

6.2 One letter of support has been received from a member of the public, resident in the Adel area of Leeds. They state that it would "add an improved level of animation and interest to the street scene, in addition to presenting a modern and exciting image to this part of Leeds' retail quarter, particularly in the hours of darkness. Also the alterations to the building....provide an improvement to the appearance and visual interest of the building".

7.0 CONSULTATIONS RESPONSES:

7.1 **12/03408/ADV**

Statutory:

No statutory responses have been received

Non-Statutory:

No non- statutory responses have been received

7.2 **12/03409/ADV**

Statutory:

No statutory responses have been received

Non-Statutory:

Highways Services: No objection, the only vehicles using this section of highways are delivery vehicles which would be travelling at low speeds.

Police Architectural Liaison Officer: No objection, however would not want the screen used for the broadcast of events which may cause crowds to gather and could lead to a possible increase in both public disorder and street crime such as pick-pocketing due to members of the public being distracted.

8.0 PLANNING POLICIES:

8.1 The policy background is discussed in the umbrella report on this agenda.

9.0 MAIN ISSUES

- Amenity
- Public Safety

10.0 APPRAISAL

10.1 Amenity

10.2 As set out above, Members commented on the pre-application presentation where the principle of splaying the elevation was supported. It is considered that this will provide a greater amount of free airspace at this corner which will be apparent especially when approaching from Bond St to the west and the lower part of Albion St to the south. When looking directly at the splay there will also be a greater sense of openness and space, although it will be the ribbon feature which sits above the screen which will provide the dominant silhouette and create a definite corner. This more open feel is further emphasised by the already approved setting back of the Boots entrance by one structural bay which opens up additional space at ground level.

10.3 The principle of inserting a screen in to this elevation was accepted by Members at Panel in April. At the time of the presentation the size of the screen was expected to increase and the details of the manner in which the screen could be integrated to the elevation had not been considered in detail. Since this time the applicant has undertaken a detailed design process which has resulted in the current proposal. The pattern of glazing bars within the splay have been amended to accommodate the screen and these also allow a clear glazed area to exist around it. Clear views will be present to the sides through the extensive areas of glazing to the Albion St and Bond St elevations. The lower part of the screen will therefore be set against a back-drop of activity in the first floor Trinity Kitchen unit. The upper part will sit in front of the steel and concrete structure and will therefore have the function of masking an area where there would be no potential for life and activity to be created.

10.4 The method of integration of a screen of this size into the glazing pattern is considered to be the best that can be achieved. The glazing system itself has a frame depth which would mask the sides of the screen and the face of the screen is in the same plane as the glazing which surrounds it. It will therefore be read as integral to the outer skin of the building rather than an addition to it.

10.5 Officers recognize that the screen is a significant addition to this corner. However, it is part of a new architectural composition for one of the main entrances to a major

retail scheme and views of it are set within the new architecture of the corner which is intended to be both lively and active. Longer distance views of the screen are from within the conservation area, both along Commercial St (to the point where the view becomes restricted by the bend in the road half way between Lands Lane and Briggate) and from Albion St, as far as the Albion Place junction. Whilst this is a significant area, it is not as extensive as other possible locations in the city centre where vistas could cover greater distances. In this context, it is considered that both the integration of the new screen in to the elevation and its siting, in front of a lively backdrop, mitigates its impact on the street scene to an acceptable level.

- 10.6 There are no residential or other sensitive uses in this area which would be adversely impacted upon by the screen display. This is particularly important during the hours of darkness when the screen, even at its reduced operating luminosity, would still be brighter than much of the surrounding area.
- 10.7 As stated above, there is a tree which sits on the corner in front of the current Next retail unit which could start to obscure views of the screen from the north. It forms an important part of the City Council's public realm initiative and has an amenity value when viewed from all angles including those where it does not block the view of the screen. This is on highway land and any requirement to reduce its size in the future would therefore be controlled by Leeds City Council and this is considered to be sufficient to ensure its future protection.
- 10.8 The developer has offered some time for public information use of the screen and this is welcomed by the City Council as it will provide a useful facility not present anywhere else in the city. However, this is not necessary in order to make the scheme acceptable and Members should not take this in to account as a material consideration in reaching their final judgement on the scheme. At the time of writing this report the method of controlling this was being discussed with the applicant although it is likely that it will be by a legal agreement. The agreed method will be reported verbally to Members at Panel.
- 10.9 The requirements of the Section 106 agreement attached to the previous permission ref. no. 11/03290/FU must be applied to this permission and therefore a deed of variation to that agreement must be secured and this requirement is included in the recommendation to Members.
- 10.10 Public Safety
- 10.11 The proposed screen is visible from pedestrianised streets where only service vehicles operate at slow speeds during restricted hours and therefore no highway safety concerns are raised. The Police Architectural Liaison Officer has raised specific issues in the event that crowds gather and therefore it has been agreed with the applicant that no events will be shown and that the screen will simply be used for advertising.

11.0 CONCLUSION

- 11.1 It is clear that there are a number of considerations here which result in the decision on this proposal being finely balanced. The screen fills most of the newly created splay corner and is visible from streets which are within the conservation area and in the setting of a number of listed buildings. However the screen is undoubtedly within a commercial centre of regional and even national significance, especially once the applicant's own scheme opens in March 2013, where advertising is clearly an accepted part of the urban fabric in the prime shopping area. It is set against a back

drop of a newly created modern retail development in which there is a very large glazed area to a lively and active food offer. It will act as a marker to one of the main entrances to the Trinity scheme and has been integrated in to the design of the corner rather than simply being placed upon it as an after thought.

- 11.2 As set out in the umbrella report it is likely that Leeds will see other applications for media screens come forward in the retail core and if they are to be acceptable then they have to be in key locations and of the highest quality design, integrated into the buildings on which they are located. Whilst it may eventually be prudent to develop a policy which helps the Local Planning Authority to determine such application on a consistent basis, at this moment in time a specifically tailored policy does not exist and would take some time to conclude. It is the case that UDPR policy already exists, the CABE/EH guidance can be utilized and the character of the retail area is already well established and understood. In the light of this and on the specific merits of this case it is considered that, on balance, the positive considerations prevail and that the application should be approved.

12.0 BACKGROUND PAPERS

- 12.1 Current application files 12/03408/ADV and 12/03409/FU.
- 12.2 Original approval 09/01742/FU amended by 11/03290/FU

APPENDIX 1 CONDITIONS TO BE ATTACHED TO APP REF 12/03409/FU/C

- 1) The development hereby permitted shall be begun before 21st May 2013

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 and in order to tie the date of this permission to that of the permission to which it is a revision (ref no. 09/01742 dated 21st May 2010).

- 2) No building works shall take place on any phase or part of the development until details and samples of all materials to be used on both the external walls and the internal bridge elevations relevant to that phase or part have been submitted to and approved in writing by the Local Planning Authority. The external walls and internal bridge elevations relevant to that phase or part shall be constructed of the materials thereby approved or such other materials approved in writing by the Local Planning Authority.

In the interests of visual amenity in accordance with policy N13 of Leeds UDP (Review) 2006.

- 3) No building works shall take place on any phase or part of the development until details and samples of all surfacing materials to the external areas and the surfaces within the bridge link as relevant to that phase or part have been submitted to and approved in writing by the Local Planning Authority. The surfacing works for that phase or part and the bridge link shall be constructed from the materials thereby approved or such other surfacing materials approved in writing by the Local Planning Authority.

In the interests of visual amenity in accordance with policy N13 of Leeds UDP (Review) 2006.

- 4) Construction of external walls and internal bridge elevations shall not commence on any phase or part of the development until sample panels of the materials of a sufficient size to show clearly the type of bonding, coursing, jointing and any exposed framework of that phase or part, have been constructed on site and approved in writing by the Local Planning Authority. The external walls and internal bridge elevations for that phase or part of the development shall then be constructed in strict accordance with the approved sample panels (or such other panels approved in writing by the Local Planning Authority) which shall not be demolished prior to the completion of the relevant phase of the development.

In the interests of visual amenity in accordance with policy N13 of Leeds UDP (Review) 2006.

- 5) Prior to development commencing on the new build-outs to the western side of Albion St hereby approved, a series of historical plans shall be submitted to the Local Planning Authority which outline the historical uses of the land over the last 150 years. A written interpretation of the plans shall be provided which sets out the likely risks to the end users of the development hereby approved from the uses which previously existed on the site.

To ensure that the likelihood of contamination on the site is identified and the possible risks to the occupiers of the proposed development are assessed to ensure that the site is made 'suitable for use' in accordance with Policy GP5 of the Leeds Unitary Development Plan and Annexe 2 of PPS23.

- 6) Where significant unexpected contamination is encountered during development works, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. A remediation statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further works which shall thereafter be carried out in accordance with the approved remediation statement.

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

- 7) If remediation is required, a verification report shall be submitted to the Local Planning Authority.

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

- 8) Prior to the commencement of construction of any phase or part of the development a scheme detailing the method of storage and disposal of litter and waste materials in respect of the relevant phase or part of the development 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. The approved scheme shall be implemented before that phase or part of the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the scheme, or any subsequent revision of it submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 9) No construction shall take place of any phase or part of the development until the strategy for screening the installation and/or erection of any extract ventilation system, flue pipes, or other excrescences proposed to be located on the roof or sides of the buildings, including details of their siting, design and external appearance for that phase or part of the development have been submitted to and approved in writing by the Local Planning Authority. The development of that phase or part of the development shall not be occupied until the works approved in accordance with this condition have been completed. Such works shall thereafter be retained subject to such variations thereto as may be approved by the Local Planning Authority in writing.

In the interests of amenity and visual amenity in accordance with policy N13 of Leeds UDP (Review) 2006.

- 10) No construction shall take place on any phase or part of the development until details of the extract ventilation system, including details of a filter to remove odour and the methods of treatment of the emissions for that phase, have been submitted to and approved in writing by the Local Planning Authority. That phase or part of the development shall not be occupied until the works approved in accordance with this condition have been completed for that phase or part of the development. Such works shall thereafter be retained subject to such variations thereto as may be approved in writing by the Local Planning Authority.

In the interests of amenity and visual amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 11) No machinery, water tanks, boilers, or other plant and ancillary equipment within a phase or part of the development shall be installed, until details of its position and manner of installation have been submitted to and approved in writing by the Local Planning Authority in respect of that phase or part of the development. That phase or part of the development shall not be occupied until the installation has taken place for that phase or part of the development. The installations approved shall be retained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 12) No plant and/or machinery shall be used at the development, unless it is enclosed in sound-insulating material in accordance with a scheme which

has been submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 13) No mechanical ventilation or air conditioning system shall be installed or operated within a phase or part of the development until details of the installation and operation of the system (in respect of that phase or part of the development) have been submitted to and approved in writing by the Local Planning Authority. The system shall thereafter only be installed and operated in accordance with the approved details or such other details approved in writing by the Local Planning Authority.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 14) No units for the sale of food in the development shall be brought into operation until a grease trap has been provided on the drainage outlet(s) from the food preparation areas(s). The grease trap(s) shall be retained at all times thereafter.

To ensure the removal of grease from waste effluent in the interests of general amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 15) Unless otherwise agreed in writing by the Local Planning Authority, no building or other obstruction shall be located over or within 3m of the lines of the water main which cross the site and 4m in respect of the sewers which cross the site.

In order to allow sufficient access for maintenance and repair at all times in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 16) No construction of a phase or part of the development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority in respect of that phase or part of the development and that phase or part of the development shall be carried out in accordance with the approved details or such other details approved in writing by the Local Planning Authority.

To ensure that the development can be properly drained in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 17) Unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

To ensure that no surface water discharges take place until proper provision has been made for their disposal in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 18) Roof drainage down water pipes shall at all times be sealed at ground floor level to prevent the ingress of any contaminated water/run-off.

To prevent pollution of the water environment in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 19) A phase or part of the development shall not be occupied until provision has been made in the means of access both to and within that phase or part of the development, and within sanitary conveniences, for the needs of employees and members of the public who are disabled. All such facilities shall thereafter be retained and made available for use unless otherwise agreed in writing by the Local Planning Authority.

In the interests of disabled people in accordance with policy A4 of Leeds UDP (Review) 2006.

- 20) There shall be no storage of refuse either outside the building, on the public highway in the vicinity of the development or within the internal areas created by the development, except for those areas specifically intended for the storage of refuse, whatsoever.

In the interests of amenity and to prevent the occurrence of unsightly refuse storage bins in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 21) No waste material shall be burnt within the boundary of the site.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 22) No phase or part of development shall take place until details of measures to be taken to suppress dust during demolition and construction in respect of the phase or part of the development have been submitted to and approved in writing by the Local Planning Authority. Such measures shall be provided prior to the commencement of demolition and construction and thereafter be retained and maintained save as varied by prior written approval of the Local Planning Authority.

In the interests of amenity in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 23) Prior to the first occupation of a phase or part of the development a scheme for the provision of public litter bins in respect of that phase or part of the development, shall have been submitted to and approved in writing by the Local Planning Authority, such a scheme to include the number, location and design of facilities. The agreed scheme shall be implemented on site prior to the first occupation of the development and thereafter retained on site.

To ensure the adequate provision of public litter bins across the site in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 24) Prior to the commencement of demolition within a phase or part of the development, a statement and plans, setting out the details of the method of servicing properties within the application site, and those properties around the application site affected by such demolition or construction, during the demolition and construction period, shall be submitted to and approved in writing by the Local Planning Authority in respect of that phase or part of the development. These details shall include a phasing strategy and shall clearly indicate vehicle turning areas, parking places and spaces for any public collections as well as details of all consultations with operators of the properties using the servicing area and how their views have affected the submitted details. The physical form of the service area during demolition and construction of that phase or part of the development, shall then be laid out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

In order to ensure that adequate on site servicing arrangements are provided during demolition and construction and to ensure the free and safe use of the Highway in accordance with policy T2 of Leeds UDP (Review) 2006.

- 25) Prior to the commencement of construction of a phase or part of the development, a statement, and plans, setting out the details of the method of servicing properties within the application site, and those properties around the application site, on completion of development, shall be submitted to and approved in writing by the Local Planning Authority in respect of that phase or part of the development. These details shall clearly indicate vehicle turning areas, parking places and spaces for any public collections, details of all consultations with operators of the properties using the servicing area and how their views have affected the submitted details. The physical form of the service area on completion of development shall then be laid out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that adequate on site servicing arrangements are provided on completion of development and to ensure the free and safe use of the Highway in accordance with policy T2 of Leeds UDP (Review) 2006.

- 26) Unless otherwise agreed in writing with the Local Planning Authority, no phase or part of the development shall be occupied until cycle parking facilities for both the employees of future occupiers of the site and for members of the public, for that phase or part of the development, have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

In order to meet the aims of the Transport policy as incorporated in the Unitary Development Plan Review in accordance with policy T7A of Leeds UDP (Review) 2006

- 27) No demolition within or construction of any phase or part of the development shall take place until a plan showing details of the provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials and the parking of vehicles belonging to the workforce within the site in respect of that phase of development, have been submitted to and approved in writing by the Local Planning Authority and that phase or part of the development shall be carried out in accordance with those approved details or such other details approved in writing by the Local Planning Authority.

In the interests of the free and safe use of the highway in accordance with policy T2 of Leeds UDP (Review) 2006.

- 28) In respect of any phase or part of the development, equipment to enable mud and grit to be removed from wheels, tyres and the underside of vehicles prior to their entering the public highway shall be provided and utilised in a position to be indicated on a plan, which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition within that phase or part of the development. Such wheel equipment shall be maintained in working order at all times when traffic is leaving the site. The site access road shall be maintained in a clean condition at all times.

To ensure that mud is not deposited on the road in the interests of amenity and highway safety in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 29) Prior to the commencement of demolition within or construction of any phase or part of the development site a scheme detailing the movements of vehicles to be used in the demolition and construction of that phase or part of the development shall be submitted to and approved in writing by the

Local Planning Authority. The scheme shall include details of the size of vehicles, their frequency of movement, the times of their operation and the route to be taken within the city boundary to and from the site. Vehicle movements and details shall then be carried out in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

In order that construction and demolition traffic causes the minimum amount of disruption to other highway users in accordance with policy T2 of Leeds UDP (Review) 2006.

- 30) Notwithstanding the submitted plans, prior to the commencement of works on site, a phasing schedule for the carrying out of the works referred to in the relevant conditions of this permission shall be submitted to and approved in writing by the Local Planning Authority. This schedule shall indicate on a plan the physical boundaries of each phase or part at each level of development and the developer shall notify the Local Planning Authority in writing two months prior to the commencement of development within each of the identified phases or parts. Details shall then be submitted in accordance with the phasing schedule unless otherwise agreed in writing by the Local Planning Authority.

In order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged in accordance with policy GP5 of Leeds UDP (Review) 2006.

- 31) The display windows of the double height ground floor shop-fronts on the Albion St elevation of the new build-out extensions and the upper level window to the Albion St/Bond St corner hereby approved shall at all times be used for the display of goods and signage in connection with the use of the relevant units and shall at no time be obscured or screened to prevent vision into the windows unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity in accordance with the Leeds UDP (Review) 2006 policy N13.

- 32) Prior to works commencing on any phase or part of the site, details, to include materials, elevations and sections at a scale of 1:20 of the following as relevant to that phase or part shall be submitted to and approved in writing by the Local Planning Authority:

- Frameless glazed shop frontages including retail unit entrance doors
- Column bases, integrated seating and shop front stall-risers
- All parapet walls including the publicly accessible terrace above the build-out extensions and surrounding ballustrading

- Corner display window to the Albion St/Bond St corner and soffit to include lighting
- The edge of the stainless steel ribbon detail
- Overcladding of the upper level brick panel above the publicly accessible terrace
- Saw tooth cladding system to incorporate lighting
- Method of vertical extension of the existing shop-frontages onto Bond St
- Details of the ribbon and glazed splay above the new main retail centre entrance on Albion St
- Cladding of the 2 no. columns in the new entrance to the Albion St Bond St corner
- Sections and elevations of roof top air conditioning screens

These items shall then be constructed in accordance with the approved details and using the approved materials.

In the interests of visual amenity in accordance with the Leeds UDP (Review) 2006 policy N13.

- 33) The bridge structure shall be constructed in the position indicated on drawing ref. no. CTM-Z6-99-22-5038-P04 which shall have as its lowest point a level of 41.757m AOD unless otherwise agreed in writing by the Local Planning Authority. The minimum clear headroom beneath this bridge at the point when the scheme is first open to the public, shall be no lower than the minimum vertical clearance which existed beneath the previous bridge structure (4.875m) unless otherwise agreed in writing by the Local Planning Authority.

The Local Planning Authority wishes to ensure that the maximum possible headroom is attained beneath the new bridge structure but is mindful of the tolerances which may be required due to construction details and the fact that the highway at this point is to be resurfaced which will itself impact on the headroom beneath the bridge. This is in the interests of free and safe use of the highway in accordance with the Leeds UDP (Review) 2006 policy T2.

- 34) The minimum headroom to the underside of the projecting window, to be erected at the Bond St / Albion St corner, above the surface level of the public highway immediately beneath the extension shall be a minimum of 5.3m.

In the interests of free and safe use of the highway in accordance with the Leeds UDP (Review) 2006 policy T2.

- 35) Prior to work commencing on any phase or part of the development including the new bridge structure, details of the following items in respect of the new bridge structure shall be submitted to and approved in writing by the Local Planning Authority:

- (i) Sections and elevations of the underside of the bridge to include junctions with the opaque glazed walkways and any down-stands
- (ii) External surface materials to be used on the underside of the bridge.
- (iii) The location of all lighting and details of the light sources including any method used to conceal the fittings.
- (iv) All external window frames and glazed doors, including necessary balustrading

These items shall all be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity to ensure that the area beneath the bridge creates an attractive pedestrian environment in accordance with the Leeds UDP (Review) 2006 policy N13.

- 36) The areas of the public highway beneath the following existing structures:

- (i) existing northern bridge columns
- (ii) steps to the southern bridge
- (iii) escalator to the southern bridge
- (iv) kiosk and column beneath the southern bridge

must be removed to at least 1 metre below the surface and the resulting void filled with a clean, crushed material. Such material shall have first been agreed in writing with the Local Planning Authority and its method of filling within the remaining voids approved by the Local Planning authority.

In the interests of free and safe use of the highway and to prevent the possibility of future subsidence in accordance with the Leeds UDP (Review) 2006 policy GP5.

- 37) Prior to the commencement of the demolition of the southern bridge structure on Albion St, a document shall be submitted to the Local Planning Authority which sets out a method of managing the demolition process and shall include the following details:

- (i) The date of commencement of the demolition.
- (ii) The area of the highway required to enable demolition to take place.
- (iii) The duration of the period of demolition.

- (iv) The method of enclosure of the areas of highway to be affected and of the site to prevent debris from exiting the demolition/construction site.
- (v) A package of signing to warn pedestrians of the closures and the work being carried out and if necessary alternative routes.
- (vi) The means of lighting the works when natural light is insufficient.
- (vii) Vehicle access points including any gates required to allow vehicles to enter and exit the site.

This document shall be approved in writing by the Local Planning Authority prior to the commencement of demolition of the bridge and works shall be carried out in accordance with the approved details.

In the interests of public safety and the free and safe use of the public highway during demolition in accordance with the Leeds UDP (Review) 2006 policy T2.

- 38) Prior to the commencement of the demolition and construction of the northern bridge structure on Albion St, a document shall be submitted to the Local Planning Authority which sets out a method of managing the demolition and construction process and shall include the following details:

- (i) The date of commencement of the demolition and construction.
- (ii) The area of the highway required to enable demolition and construction to take place.
- (iii) The duration of the period of demolition and construction.
- (iv) The method of enclosure of the areas of highway to be affected and of the site to prevent debris from exiting the demolition/construction site.
- (v) A package of signing to warn pedestrians of the closures and the work being carried out and if necessary alternative routes.
- (vi) The means of lighting the works when natural light is insufficient.
- (vii) Vehicle access points required including any gates required to allow vehicles to enter and exit the site.

This document shall be approved in writing by the Local Planning Authority prior to the commencement of demolition of the existing bridge and construction of the new bridge and works shall be carried out in accordance with the approved details.

In the interests of public safety and the free and safe use of the public highway during demolition and construction in accordance with the Leeds UDP (Review) 2006 policy T2.

- 39) No works of demolition and construction on the site shall be undertaken before 0730 hours or after 1830 hours on any weekday or before 0800 hours and after 1330 hours on Saturdays nor at anytime on Sundays, bank or

public holidays unless otherwise agreed in writing by the Local Planning Authority.

In the interests of reducing noise nuisance to adjacent residents in accordance with the Leeds UDP (Review) 2006 policy GP5.

- 40) The external plant and air conditioning equipment to be located on the new bridge hereby approved shall be contained within the areas set out on the approved drawings and shall be located on no other part of the external envelope of the new bridge building whatsoever unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity in accordance with the Leeds UDP (Review) 2006 policy N13.

- 41) For the purposes of this condition "defined frontage " shall mean 2 separate lengths of Primary Shopping Frontage set out in the Leeds UDPR 2006 (Proposals Maps and Inset Maps) one on the western side of Albion St consisting of units 2.34, MSU9, K1, K2, K3 set out on plan ref. no. CTM-X-99-07-1030 rev 01 hereby approved and the other on the southern side of Bond St and consisting of unit MSU6 set out on plan ref. no. CTM-X-99-07-1031 rev 01 hereby approved.
- The ground floor retail units contained within the defined frontages set out above shall only be used for uses falling within Classes A1 and A3 as defined in the Town and Country Planning Use Classes (Amendment) Order 2005. The above units in the defined frontage may only be used for a Class A3 Use as defined in the Town and Country Planning Use Classes (Amendment) Order 2005 provided that at each occupation for an A3 use (a) the length of ground floor retail frontage within the defined frontage given over to Class A3 use does not exceed the threshold of 20% of the total length in non Class A1 Use and (b) the continuous length of frontage of ground floor retail units within the defined frontage given over to Class A3 use does not exceed the threshold of 15% in non Class A1 Use in line with Unitary Development Plan Review Policy SF02 relating to Primary Frontages, unless prior written approval for the A3 use of a specific unit is first obtained from the Local Planning Authority.

In order to uphold the objectives of Unitary Development Plan Review policy SF02 which seeks to protect Primary Shopping Frontages in the City Centre.

- 42) Prior to the commencement of any phase or part of the development an interim scheme shall be submitted which shall set out the details of the surface treatment to Albion St required in relation to the following matters for that phase or part of the development in the period between the completion

of the construction of the development and the laying out of the final paving scheme. This interim scheme shall include the following details:

- (i) Phasing of the completion of the construction of the individual shop frontages fronting on to Albion St and the associated areas of the public highway on Albion St which will be surfaced to enable access to these units.
- (ii) Material to be used in the surfacing of the public highway on Albion St in line with the programme of phasing set out above and the way that this interfaces with the parts of the existing highway to which it will be adjacent.
- (iii) The longitudinal and lateral sections of the highway to show the gradient along the street, it's relative height to the underside of the new bridge structure and the thresholds to the doorways of the new retail units.
- (iv) Any necessary protective measures and signing to ensure public safety in the area while these works are being carried out.

The interim scheme shall be carried out in accordance with the details set out above and in line with the approved timescales unless otherwise agreed in writing by the Local Planning Authority.

In the interests of free and safe use of the public highway and to ensure satisfactory access is provided to the retail units in accordance with the Leeds UDP (Review) 2006 policy GP5.

- 43) The double height vertical glazed slot in the centre of the new bridge structure shall be kept free from any permanently fixed objects, furniture, fixings and opaque additions to the glazing which would prevent clear views through this important architectural feature.

To ensure that clear views are maintained through this area to the benefit of the appearance of the structure and the street scene whilst still allowing the daily setting out of unfixed items, ancillary to the use of the commercial units contained within the bridge in accordance with the Leeds UDP (Review) 2006 policy N13.

- 44) Prior to works on each phase of development commencing on site, details shall be submitted to the Local Planning Authority which set out the location of any temporary hoardings which are to be erected around the periphery of the site, including those to be erected on the public highway, during the construction period of that phase. Details shall include a plan indicating their location and elevations indicating their height and method of external treatment on the side which is visible from outside the site. The hoardings shall be erected in accordance with the approved details and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that the site is appropriately and adequately screened during the construction process and to protect passing pedestrians and

other highway users in accordance with the Leeds UDP (Review) 2006 policy GP5.

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

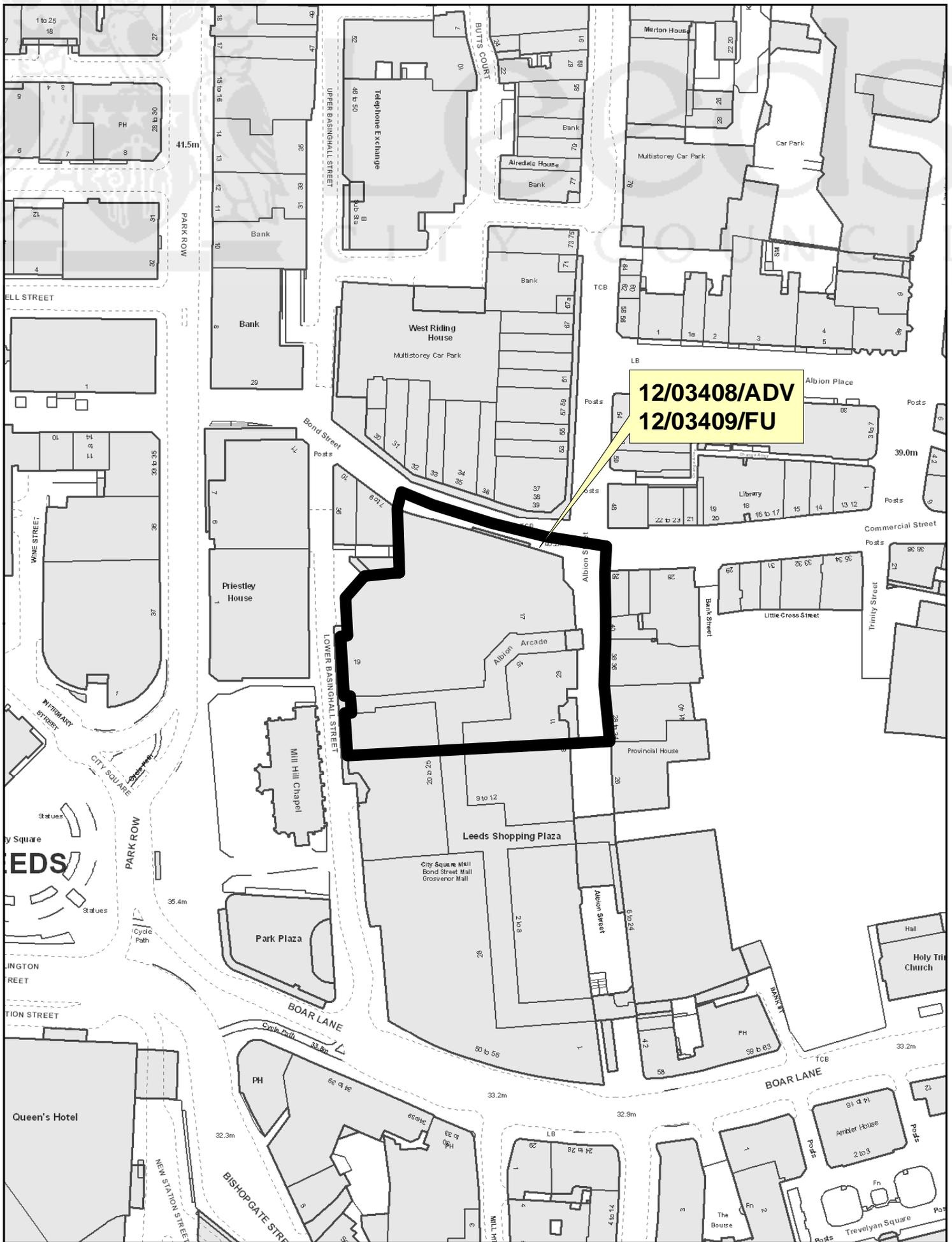
For the avoidance of doubt and in the interests of proper planning.

- 46) No development authorised by this permission shall commence until planning permission reference 09/01742/FU has been implemented and development pursuant to this permission 11/03290/FU shall only be carried out together with development pursuant to planning permission reference 09/01742/FU so as to achieve an overall development scheme as shown on composite approved drawings referred to in the list of approved plans set out on this permission.

This permission authorises a revision to development permitted by planning permission reference P/09/01742/FU and therefore cannot be implemented in isolation but only in conjunction with planning permission reference P/09/01742/FU.

- 47) Within 18 months of the date of this permission the existing basement service area shall be laid out in the manner set out on drawing ref. no. Figure 4B received 25th October 2011 unless otherwise agreed in writing by the Local Planning Authority. The service area shall then be retained with that layout unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the provision of adequate servicing facilities off the public highway in accordance with the Leeds UDP (Review) 2006 policy T2.



CITY PLANS PANEL

