



## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

**Date: 22 November 2012**

**Subject: LAND OFF SOVEREIGN STREET AND PITT ROW, LEEDS LS1**

**12/04018/FU FOUR STOREY OFFICE DEVELOPMENT WITH BASEMENT CAR PARKING AND LANDSCAPING**

**APPLICANT**

Sovereign Leeds Ltd.

**DATE VALID**

20 September 2012

**TARGET DATE**

20 December 2012

**Electoral Wards Affected:**

City and Hunslet

Yes

Ward Members consulted  
(referred to in report)

**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):**

Conditions

- 1) Time limit
- 2) Plans Schedule
- 3) Planning agreement to cover provision of public realm improvements, public transport improvements, local jobs and skills training, and travel plan measures and monitoring
- 4) Details and samples of all external walling and roofing materials
- 5) Sample panel of all external facing materials
- 6) Typical 1:20/1:50 scale working drawings of spandrel panels, fins, brise soleil, canopies, rooftop plant screen
- 7) Details of manifestation to glazing
- 8) Details and samples of all surfacing materials
- 9) Details of hard and soft landscape works
- 10) Landscape management plan
- 11) All areas to be used by vehicles to be fully laid out, surfaced and drained prior to use
- 12) Provision of off-site highways works
- 13) Details of cycle/motorcycle parking and associated facilities

- 14) Details of the access controls to the basement car park
- 15) Details of refuse and recycling facilities
- 16) Details of foul and surface water drainage
- 17) Separate systems of drainage for foul and surface water drainage
- 18) No piped discharge of surface water
- 19) Survey of culvert and diversion if necessary
- 20) Sustainability (BREEAM Excellent, 10% renewable energy, green roof, solar array, 10% renewable energy, 20% carbon reduction against building regulations)
- 21) Development in accordance with Flood Risk Assessment
- 22) Land contamination studies
- 23) Amended remediation strategy
- 24) Remediation Statement verification
- 25) Details of mechanical plant/air conditioning
- 26) Details of contractors' equipment
- 27) Details of mud and dirt prevention during works
- 28) Details of dust minimisation during works
- 29) Building operations hours 0730-1900 hours on weekdays, 0800-1900 Saturdays, no building operations on Sundays or Bank Holidays
- 30) Any tree felling to be outside bird nesting season
- 31) Archaeological recording

**The following are non standard conditions which can be found in full in Appendix 1: 3, 7, 12, 19, 20, 21**

**Reason for approval 12/04018/FU:**

The application is considered to comply with the policies SA1 GP5 GP7 GP11 GP12 BD2 A1 A4 N12 N13 N29 BD4 CC1 CC3 CC10 CC11 CC12 CC13 CC19 E14 CC28 Riverside Proposal Area Statement 21 T2 T2C T2D T5 T6 T7A T7B T24 LD1 R5 N38A N38B N39 N51 of the Leeds Unitary Development Plan review 2006, the Yorkshire and Humber Regional Spatial Strategy 2008, as well as supplementary planning guidance in SPD5 Public Transport Improvements and Developer Contributions, SPD Travel Plans, SPD Sustainable Design and Construction, Leeds Waterfront Strategy, City Centre Urban Design Strategy and the Sovereign Street Planning Statement 2011, and national guidance contained within the National Planning Policy Framework and its Practice Guides, and having regard to all other material considerations, as such the application is recommended for approval.

**1.0 INTRODUCTION:**

- 1.1 This application is brought to Plans Panel as it is a significant major application for new office development in the City Centre. The building would be a new Leeds Headquarters for KPMG, a global professional consultancy firm, who would relocate from a building nearby on Neville Street. This new building would be delivered alongside proposals for a new public greenspace by Leeds City Council at the Sovereign Street site (see application reference 12/04017/LA also on this City Plans Panel Agenda). If acceptable, these projects would be delivered in parallel with the proposed greenspace to enable the first new prestige office building and the first new urban greenspace to be provided in Leeds City Centre in recent years.
- 1.2 City Plans Panel Members were presented with a Position Statement on both applications on 25 October 2012. In summary, Members requested that the developer examine potential for night-time glare from the building, to limit the amount of full height glazing to the Sovereign Street elevation, whether the scheme could provide grey-water recycling, and whether planting to Pitt Row could be proposed. Details of the Member comments made on this application are at Appendix 2, with the relevant main issues discussed in the Appraisal section of this report.

## 2.0 PROPOSAL:

2.1 The proposal is a full planning application for a 4 storey office building with basement car parking and landscaping. A number of documents have been submitted in support of the proposal:

- Scaled Plans
- Design and Access Statement
- Sustainability Statement
- Transport Assessment
- Flood Risk Assessment
- PPS25 Sequential Test Assessment
- Drainage Statement
- Noise Survey
- Ecological Assessment
- Wind study
- Statement of Community Involvement
- Land Contamination Desktop Report
- Travel Plan
- Archaeological Assessment
- Section 106 heads of terms

2.2 The proposal is for 9185 square metres gross internal floorspace of office accommodation, including basement car park. The office areas would be arranged around a central atrium covered by a glass roof. Above this there would be a screened plant area, useable roof terrace, green roof, and solar thermal array. The building's overall height would be some 22.8m high above the existing site level.

2.3 The building would be predominantly glazed, with elevations to Sovereign Street, Pitt Row and the new public greenspace Sovereign Square. The Sovereign Street elevation would sit back from the street frontage at the lower levels, to allow for access ramps, steps, planting, and a large scale double height entrance. This would be oversailed by a canopy at roof level. The north east elevation to the proposed greenspace would feature a second building entrance, and a series of coloured glazed fins. This façade would also lean forward as the building turns the corner from Sovereign Street into the new public space. The building elevations would read as a continuous glazed form, with alternating matt and glazed spandrel panels at each floor band. The glazing would feature manifestation fading out towards 1200mm from the floor level in order to meet solar shading requirements, and some areas of the façade would feature full manifestation to give privacy to specific limited areas.

2.4 Car parking and servicing would be accessed from Pitt Row, with 39 car parking spaces proposed at basement level. Four disabled parking spaces would be provided in accordance with UDPR policy. Refuse storage, motorcycle parking (8 spaces), cycle storage (50 secure spaces), showers, changing rooms, lockers and drying facilities would also be located in the basement. It is also proposed to realign the pavement of Pitt Row in Yorkstone (to join up with the Council's scheme for northern section of Pitt Row and the pavement to Sovereign Street as part of the greenspace application), which would provide a servicing bay capable of accommodation a refuse vehicle, improve the sightline for the car park access. This realignment would also provide extra pedestrian circulation space around the building.

2.5 The main entrance of the building would be accessed from Sovereign Street, with ramps to take account of the 1m raised floor level for flood risk reasons. A second entrance would allow access for users of the building to and from the new greenspace through the

reception area. The greenspace application proposes the removal of 13 semi-mature Norway Maple trees and 1 Cherry tree from within this application boundary as part of the wider landscape masterplan.

2.6 The building would meet the BREEAM 'Excellent' sustainability target, through its orientation, form, design, the use of renewable energy technology, and the use of coloured glazed fins, brise soleil and angled facades to give solar shading to a predominantly glazed building.

### **3.0 SITE AND SURROUNDINGS:**

3.1 The Sovereign Street site is located at the heart of Leeds City Centre, close to Leeds Railway Station and the River Aire. The whole development site comprises 1.16 hectares and is currently used as a surface car park with a low boundary fence and mature tree planting to the back edge of the footpath. At the north east corner of the site is a metal clad eight storey multi-storey car park with ground floor restaurant use. At the north west corner is the early 2000s six storey BT office building. To the west lies Granary Wharf and Holbeck Urban Village, with the proposed Station Southern Access located above the River Aire with connections from the east and west. To the south of Sovereign Street a number of Victorian mill buildings, including the Grade II listed 4 The Embankment, and more recent infill developments of a complementary scale, provide enclosure to the street and to the river behind. To the east lies the City Centre Conservation Area, where its boundary cuts across Swinegate. Further south lies the River Aire, with potential for a bridge connection to the South Bank and the future City Centre Park,

3.2 The site is allocated as a development site in the adopted Unitary Development Plan Review (UDP) as Proposal Area 21, which forms part of the designated Riverside Area.

3.3 The Council adopted the Sovereign Street Planning Statement in July 2011. It identified three indicative building plots A, B, and C, as well as an area of greenspace (see attached plan). The building plots have been sited in order to balance objectives to enhance the key views into the site from the Conservation Area in the east, from Neville Street in the west, take account of existing and potential future pedestrian connections from east to west and north to south, and the requirement to deliver and maintain a significant viable greenspace and pedestrian/cycle improvements to connect to the South Bank.

3.4 The application site is located close to the railway station, which would be accessed via new crossing facilities at the junction of Neville Street and Sovereign Street, and using either the stepped access off Bishopgate Street, or the main entrance off City Square. Subject to the outcome of the forthcoming Transport and Works Act Order Inquiry, the station southern entrance will enable even shorter journeys between the site and the station via Little Neville Street. A number of bus stops are also located in the immediate area.

3.5 Plot A as identified in the Sovereign Street Planning Statement is the subject of this full planning application. The site area is some 0.32 hectare. The plot is located at the south west corner of the car park site, bounded by Pitt Row, Sovereign Street, and where the plot edge meets the proposed greenspace.

3.6 13 Semi-mature Norway Maple trees and 1 Cherry tree are present at the back edge of the footpath to Sovereign Street within the application boundary. Their

overall condition has been indicated as generally good, however their roots are in poor condition due to the compacted hardstanding around them.

- 3.7 The site is identified in the Strategic Flood Risk Assessment in flood risk zone 3, however, more detailed topographical surveys have indicated that the site lies within zone 2.

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

- 4.1 The Sovereign Street site has been identified as a development site since the early 1990s, and in 1995 Leeds Development Corporation granted planning permission for a large mixed use development, of which only the multi-storey car park was built. The adoption of the UDP in 2001, and its review in 2006, formalised the site's allocation in the statutory development plan. In 2002 an informal Planning and Development Brief was adopted for the site, which guided the detailed pre-application discussions with Simons Estates and Ian Simpson Architects regarding the Criterion Place 'Kissing Towers' mixed use scheme from 2003 to 2007, however no planning application was ever submitted for that proposal. Following the cancellation of this scheme, the site was identified by the Council's Executive Board as a potential site for new buildings and a greenspace, and following public consultation in 2011, a revised Sovereign Street Planning Statement incorporating that vision was adopted. Plans Panel (City Centre) discussed the updated Sovereign Street Planning Statement in March and October 2011. In March 2011 and July 2012, Plans Panel (City Centre) also discussed the early design of this building, and were generally supportive of the design concept at that stage. City Plans Panel commented on the progress of the submitted planning application in October 2012, as set out below at section 5 of this report.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Detailed pre-application discussions have taken place with officers during 2012 in accordance with the adopted Planning Statement. Scott Brownrigg Architects presented the scheme on behalf of Sovereign Street Ltd. to Members as a pre-application presentation at Plans Panel (City Centre) on 5 July 2012. City Plans Panel discussed the progress of this application on 25 October 2012. Full details of both meetings are at Appendix 2 of this report.

#### **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Application publicity consisted of:
- 6.1.1 Site Notice: Notice of proposed major development affecting the character of a conservation area and the setting of a listed building, posted 5 October 2012, expiry 26 October 2012.
- 6.1.2 Press Notice: proposed major development affecting the character of a conservation area and the setting of a listed building, published 4 October 2012, expiry 25 October 2012.
- 6.2 City and Hunslet Ward Members consulted 24 September 2012 and 25 September 2012: no comments received at time of writing.
- 6.2 Leeds Waterfront Association consulted 25 September 2012: no comments received at time of writing.

6.3 Leeds Civic Trust consulted 25 September 2012.

6.3.1 Comment received from Leeds Civic Trust dated 12 October 2012, stating that it wishes to maintain a neutral position on this project, not objecting to the scheme, but hopes that the points of detail below will be addressed by the developers:

- The scheme does not have the wow factor that we had hoped for. A key issue is that of scale and specifically the design decision to use a dark band between floors 2 and 3 – it looks as if it is a two-storey plinth for something taller
- Do the fins on the eastern side need to be closer together if they are really going to work as sunscreens and to show the twist intended by the architects?
- We will be interested in how BREEAM Excellent will be achieved with so much glazing and glass walling
- Can the occupiers control the inevitable ‘desk junk’ which tends to pile up against glazed panels and spoil the clean aesthetics envisaged by architects.
- A major concern which affects both this application and that for Sovereign Square is the status of Pitt Row. This short street appears to be outside both applications and it would seem that this development will be the only opportunity to change its appearance to match that of the surrounding public spaces. It would seem to be ideal for a shared pedestrian/ vehicular surface, a role which it, in effect, plays already. We assume there will be no car parking allowed in order to provide access to the surrounding buildings, so why not just get rid of the carriageway? The only vehicles in here should be those accessing the adjoining properties and the City House car park so make them bump up to pedestrian level.

6.4 Comment in support of the application proposal posted on Leeds City Council website on 8 October 2012 by Mr. W. Smith, Ilkley. Mr. Smith welcomed the proposal and stated that whilst the building could be taller and include other uses, its design was of a high quality, and would be the catalyst for the regeneration of the former Queens Hall site.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory:**

7.1.1 Highways Agency: No objection subject to the implementation and on-going monitoring of the Travel Plan

7.1.2 Leeds City Council Transport Development Services: No objections subject to conditions regarding details of cycle parking, car park access arrangements, and the provision of off-site highway works to Pitt Row.

7.1.3 Environment Agency: No objections subject to specified conditions to ensure the development is carried out in accordance with the submitted flood risk assessment (FRA).

7.1.4 Canals and Rivers Trust: No objections.

### **7.2 Non-statutory:**

7.2.1 West Yorkshire Archaeology Advisory Service: No objection subject to condition regarding archaeological recording.

7.2.2 Leeds City Council Environmental Protection: No objection

- 7.2.3 Leeds City Council Flood Risk Management: No objection subject to implementation of development in accordance with the submitted FRA. Conditions are recommended regarding surface water drainage details, and the culvert that runs through the site should be investigated/surveyed and details submitted to the Local Planning Authority. The project design should incorporate measures to allow for maintenance of the culvert and details should be submitted and approved showing how this will be protected during construction.
- 7.2.4 West Yorkshire Metro: No objection subject to the provision of a public transport improvement contribution in accordance with SPD 5.
- 7.2.5 Leeds City Council Nature Conservation: No objection subject to conditions requiring provision of replacement nesting sites for birds, and no removal of trees, shrubs or other vegetation between 1 March and 31 August unless otherwise agreed.
- 7.2.6 Yorkshire Water: No objection subject to conditions.

## **8.0 PLANNING POLICIES:**

### **8.1 Development Plan**

The development plan includes the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006) (UDP) along with relevant supplementary planning guidance and documents. The Local Development Framework will eventually replace the UDP but at the moment this is still undergoing production with the Core Strategy still being at the draft stage. The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development.

### **8.2 Regional Spatial Strategy (RSS) (adopted May 2008) policies include:**

YH1: Spatial pattern of development and core approach.  
 YH2: Sustainable development.  
 YH4: focus development on regional cities.  
 YH5: Focus development on principal towns.  
 YH7: location of development.  
 LCR1: Leeds City Region sub area policy.  
 LCR2: regionally significant investment priorities, Leeds city region.  
 ENV5: 10% renewable or low carbon energy

### **8.3 Leeds Unitary Development Plan Review 2006**

Relevant policies include:  
 SA1: Secure the highest possible quality of environment.  
 GP5 all relevant planning considerations  
 GP7 planning obligations  
 GP11 sustainability  
 GP12 sustainability  
 BD2 new buildings  
 A1 improving access for all  
 A4 safety and security provision  
 N12 urban design  
 N13 design and new buildings  
 N25 boundary treatments  
 N29 archaeology  
 BD4 all mechanical plant  
 CC3 City Centre character

CC10 public space and level of provision  
CC11 streets and pedestrian corridors  
CC12 public space and connectivity  
CC13 public spaces and design criteria  
CC28 Riverside Area  
Riverside Proposal Area Statement 21  
E14 Office development  
T2 Transport provision for development  
T2C Travel plans  
T2D public transport provision for development  
T5 pedestrian and cycle provision  
T6 provision for the disabled  
T7A cycle parking  
T7B motorcycle parking  
T24 Car parking provision  
LD1 landscaping  
R5 employment and training for local residents associated with the construction and subsequent use of developments  
N38A development and flood risk  
N38B planning applications and flood risk assessments  
N39A sustainable drainage systems  
N51 Nature conservation

#### **8.4 Relevant Supplementary Planning Guidance includes:**

SPD Designing for Community Safety  
SPG22 Sustainable Urban Drainage  
SPD Street Design Guide  
SPD5 Public Transport Improvements and Developer Contributions  
SPD Travel Plans  
SPD Sustainable Design and Construction  
City Centre Urban Design Strategy  
Sovereign Street Planning Statement 2011

#### **8.5 Emerging Leeds Local Development Framework Core Strategy**

8.5.1 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 7<sup>th</sup> November 2012 Executive Board approved the proposed pre-submission changes to the Publication Draft of the Leeds Development Framework Core Strategy. Executive Board also resolved to recommend that Council approve the Publication Draft Core Strategy and the sustainability report for the purposes of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004.

#### **8.6 National Planning Policy Framework (NPPF)**

8.6.1 The NPPF includes policy guidance on sustainable development, economic growth, transport, design, and climate change.

#### **8.7 Relevant National Planning Policy Practice Guides**

PPS25 Practice Guide

#### **9.0 MAIN ISSUES**

1. Principle of use
2. Urban design



3. Landscaping and public realm provision
4. Highways and transportation
5. Flood risk
6. Sustainability
7. Planning obligations

## **10.0 APPRAISAL**

### **10.1 Principle of use**

10.1.1 The application site is within the designated City Centre, within the designated Riverside Area, and specifically identified within Proposal Area 21 as part of a major re-development site. Riverside Proposal Area Statement 21 at paragraph 13.7.64 of the UDPR identifies the site as principally being developed for office use, with scope for some ancillary retail, catering and leisure uses associated with a major north-south pedestrian thoroughfare through the area, and a central public space. Paragraph 13.7.65 goes on to state that there is potential for prestige office development on the Neville Street frontage. Policy E14 of the UDPR states that the City Centre shall be the principle location for all new office development, and Policy CC19 states that office development will be accepted outside the Prime Office Quarter where it contributes to overall planning objectives reflected in Proposal Area Statements.

10.1.2 The Sovereign Street Planning Statement 2011 was adopted by the Council in July 2011, and carries forward the aspirations of UDPR Proposal Area Statement 21 in promoting office development as part of a mix of uses aimed at increasing activity in the area, alongside the delivery of a new City Centre public greenspace. In response to Members' comments regarding the delivery of new buildings and greenspace at Sovereign Street, Executive Board had committed the contributions from the development this site (Plot A) to the phase one of the adjacent greenspace and that work was being undertaken on an alternative funding mechanism for the City Park and the footbridge. Plots B and C at Sovereign Street would contribute towards the later phases of the greenspace scheme.

10.1.3 The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses such as offices. The location of prime office development within the City Centre, close to the railway station meets this requirement to locate such uses in sustainable locations.

10.1.4 The NPPF also promotes economic growth in order to create jobs and prosperity. KPMG are a global professional consultancy group, and a major employer in Leeds. This new prestigious headquarters building would help consolidate Leeds City Centre's role as the economic driver of the Yorkshire region, and the focus for investment in highly skilled and competitive businesses, as advocated by the emerging Core Strategy. The building has been designed to provide workspace for around 700 staff.

### **10.2 Urban design principles**

10.2.1 The proposal meets the design aims of the Sovereign Street Planning Statement, by following the indicative building footprint identified in that document as plot A. The proposed building height also sits within the recommended indicative height of 5-6 storeys. The proposal is four storeys in height, however the office floor-to-floor heights, the raised ground floor level to take account of potential flood risk, and the addition of a plant area on the rooftop, serve to increase the overall height of the building to a comparable height to its nearest neighbours. The floorspace proposed

has been arrived at to meet the needs of future occupier KPMG's requirements, as this office proposal is not a speculative scheme.

- 10.2.3 The building will have two entrances, one fronting Sovereign Street and one from the proposed Sovereign Square public greenspace. The north east façade of the building has been designed to complement the greenspace, and vice versa. The north east façade leans forward towards the new public greenspace, which also gives this elevation its solar shading. Coloured glazed fins in dichroic glass would add articulation and variety to this façade. The fins would vary in width along their length from one side of the façade to other – from narrow at the top to wide at the bottom - then changing to the opposite along the façade length. Dichroic glass reflects one colour and transmits a contrasting different colour, which would give the result of a shifting wave-like feature as the passer-by moves along the façade length. The building would be of a similar height as the existing buildings to the south of Sovereign Street. The roof plant would be set back from the building edge and screened by angled metal louvres that follow the roof-form of the building. The applicant's architect has provided further details of the rooftop plant which demonstrates that its visual impact would be minimal from street level, and that it would form an appropriately designed feature when viewed from surrounding buildings. Exact details of the screen would be required by condition at the construction stage.
- 10.2.4 The building sets back from the Sovereign Street frontage to create a presence to the main entrance feature. The façade has been designed to give the impression of grand scale, this would be achieved by visually emphasising every other mullion position, and by alternating matt and glazed spandrel panels. Typical details have been provided by the architect of the key design features such as the glazed coloured fins, glazing manifestation, soffits, spandrel panels, brise soleil and canopies, which make this building a distinct piece of architecture, appropriate to the needs of its users, and appropriate to the existing and emerging character of the Sovereign Street area, in accordance with the adopted Planning Statement. On-site material sample panels and provision of typical 1:20/1:50 details would be conditioned in order to protect this design quality at construction stage.
- 10.2.5 In response to Members' comments regarding the proposed privacy manifestation to part of the Sovereign Street elevation, KPMG would like to maintain privacy for data protection reasons at this particular part of the building. The provision of glass which is able to switch electronically from clear to opaque has been ruled out by the developer on the grounds of cost, and the practicalities of being able to fit such a system into the wider glazing system proposed. However, the proposed 20% opacity film applied to the inner face of the glass would still allow views of activity within the building, whilst obscuring text on computer or projection screens. Also, the reflectivity of the outer face of the glazing system would be unaffected. It is considered that this short section of façade would be the least sensitive part of the main frontage to Sovereign Street and Sovereign Square, and on balance, this is considered acceptable.
- 10.2.6 A comment was made regarding the potential for night-time glare from the glazed facades of the building. In this City Centre setting, it is considered that the activity from the building, including internal lighting, would add to the sense of safety in the area, without adversely affecting the amenity of nearby occupiers.
- 10.2.7 The effect of the proposed building on the local micro-climate has been examined in the submitted Environment Wind Assessment. This study indicates that acceptable wind conditions would be provided in most areas around the site. The report states

that in some areas outdoor seating may be affected by north-easterly winds, however localised mitigation in the form of planting would be implemented to give shelter. This report has been independently assessed on behalf of the Local Planning Authority, and is considered acceptable.

10.2.8 The Sovereign Street Planning Statement gives further urban design advice, which aims to deliver quality buildings, streets and open spaces to form over time, which make a distinctive 'place' at the heart of Leeds City Centre. Taking each of its urban design aims and aspirations for this site in turn it is considered that the building would:

- provide an appropriate neighbour to a new public greenspace with ground floor active office use facing onto it.
- improve the 'sense of street' of Sovereign Street.
- improve the urban form at the junction of Sovereign Street and Pitt Row (visible from Neville Street).
- give access to new buildings and spaces for all users.
- Ensure a high quality, innovative building design.

10.2.9 It is considered that the massing and configuration of the building has been carefully considered and addressed through a high quality design solution. The location of the proposed building would start to create a well defined townscape along Sovereign Street where buildings line streets, pedestrian routes and the new public space to provide spatial definition and a sense of enclosure. The building has been designed to appear striking from all angles, as all its elevations are visible from the street or from the public realm.

10.2.10 It is considered that the proposed building would meet the urban design criteria of the planning statement, and by doing so it would allow for the delivery of the new greenspace proposal, and the two other building plots B and C which will form future development proposals by other parties in due course. It is also considered that the proposal would enhance the character and appearance of the nearby City Centre Conservation Areas, and enhance the setting of the nearby Grade II listed 4 The Embankment.

### 10.3. **Landscaping and public realm**

10.3.1. The Sovereign Street Planning Statement gives specific guidance regarding a new City Centre greenspace which requires 0.5 hectare of public space to be delivered alongside three new buildings. The parallel application for the new public greenspace by Leeds City Council also on this Plans Panel agenda provides details of the proposed landscaped setting for this new building.

10.3.2. A small amount of hard and soft landscaping would be provided by this proposal around its footprint, including the provision of one Acer tree and other evergreen structural planting close to the Sovereign Street entrance, and a strip of planting which would form a buffer between the building and the new public greenspace. This would provide a setting to the building's entrance directly onto the new space. The character of the soft landscaping and paving materials would accord with the character of the proposed greenspace adjacent to the building. Exact details of hard and soft landscaping, including details of all planting, and samples of surfacing materials prior to commencement of development would be required by condition to ensure continuity of high quality materials and an acceptable visual relationship with the proposed new public greenspace.

10.3.3. On its own, the development of plot A would not be required to deliver public open space under UDPR Policy CC10 and draft Core Strategy Policy G5, as it is under 0.5 hectare. However the development of plots A, B, and C would be required to make a

20% site area contribution, because cumulatively the Sovereign Street site (as covered by the Planning Statement) is greater than 0.5 hectare. The value of the wider greenspace scheme for Sovereign Square would far exceed these contributions and the overall value of the policy requirement for these sites. The provision of over 50 new trees within the greenspace proposal would far exceed the value of the trees lost within this site. A financial contribution is sought from the applicant for the mitigation of the loss of the 14 trees within the application boundary. The final figure would be verbally updated at Plans Panel. This has been calculated by assessing the landscape amenity and biodiversity value of the trees on the site, and estimating the cost of an appropriate landscaped setting to the proposed building and the streetscene to Sovereign Street, in order to mitigate their loss. The Capital Asset Value for Amenity Trees (CAVAT) methodology to assess the value of the trees has been employed to give a monetary figure to the landscape value of semi-mature/mature trees. This would form a contribution as part of the Section 106 agreement towards the delivery of complementary planting and landscape enhancements in the Sovereign Street locality, as identified in the Sovereign Street Planning Statement.

- 10.3.4. In response to Members' comments at October Plans Panel regarding the possibility of saving some of the existing trees on the site, it is considered that due to the constrained nature of the tree roots caused by the hardstanding, it is likely that replacement tree planting would be necessary in the long term. With regard to the possibility to plant additional trees on Pitt Row, it is considered that as this would screen the building from view at ground floor. In terms of works to Pitt Row itself, this application proposal includes the widening and realignment of the pavement in Yorkstone. The adjoining greenspace application would provide Yorkstone pavement to the Sovereign Street frontage of this building in its first phase. The road surface to Pitt Row would remain tarmac up to the point where it meets the greenspace. It is considered that the treatment to Pitt Row as part of this application is acceptable.
- 10.3.5. The development of this site would enable the delivery of the adjoining greenspace proposal in parallel as set out in the development agreement between the Council as landowner and the developer of this building Sovereign Leeds Ltd, and as resolved by the Council's Executive Board in September 2012. The delivery of the new public greenspace Sovereign Square would give this site a strong biodiversity and landscape setting, and a distinctive local identity appropriate to the character of the area. It is therefore considered that the proposed building would be complemented by the emerging character of the surrounding area.

#### 10.4 **Highways and transportation**

- 10.4.1 The site lies within the core commuter control parking area, and the parking provision proposed complies with the UDP maximum parking guidelines for the site.
- 10.4.2 To further reduce reliance on the private car in accordance with the NPPF and local policies, the submitted Travel Plan is considered acceptable and includes the following measures:
- Provision of shower facilities, changing rooms, lockers and drying room to encourage cycle use
  - Appropriate secure storage for cyclists and motorcyclists
  - Arrangements with KPMG through an appointed workplace coordinator for the promotion, support, monitoring and take-up of the Travel Plan measures and revision of the Travel Plan as necessary.

- 10.4.3 The applicant will also be providing a contribution of £66 481 towards strategic public

transport improvements in accordance with SPD5 Public Transport Improvements and Developer Contributions.

10.4.4 The exact details of access arrangements for the basement car park, and details of the provision of the related off-site works to Pitt Row would be controlled by condition.

10.4.5 Further to paragraph 2.4 above, it is considered that the development would provide and encourage safe and secure cycle and motorcycle usage/storage, an adequate level of car parking, and does not raise any highway safety or amenity concerns within the controlled traffic environment of the City Centre.

## 10.5 **Flood Risk**

10.5.1 The proposed development is for a use which is classed as 'less vulnerable' under the National Planning Policy Framework and the retained PPS25 Practice Guide and is therefore appropriate in Flood Zone 2, subject to the measures identified in the submitted flood risk assessment, which has been agreed with the Environment Agency. The measures include raising the finished floor level of the office accommodation by one metre to 28m AOD, by locating the basement access no lower than 27.1m AOD, the identification of safe emergency evacuation routes, and provision of on-site surface water drainage attenuation. Offices are considered an appropriate use for the City Centre, a use which under the National Planning Policy Framework and the UDPR should be located in a sustainable location within an existing designated centre, and one which would secure the regeneration objectives of the UDPR Riverside Area and the Sovereign Street Planning Statement.

## 10.6 **Sustainability**

10.6.1 In response to Members' comments at October Plans Panel, the applicant has identified an area of green roof and a solar thermal array as part of the proposal. Greywater recycling is not part of the package of sustainability measures proposed in this case, however, as the focus is on conserving and using energy efficiently in terms of heating and cooling the building in order to attain BREEAM Excellent accreditation. This would be achieved by employing a package of measures to minimise energy use in heating and cooling the building. This would include various forms of solar shading to minimise solar gain, and high performance insulation. To the south and south east, the building would feature external horizontal shading at each floor level, which is effective during the summer when the angle of the sun is higher in the sky. On the north-eastern elevation the façade would lean forward to provide some horizontal solar shading, whilst the coloured fins would provide vertical shade from low early morning sun. High performance glass and manifestation would also reduce heat gain.

10.6.2 The submitted Sustainability Statement confirms that 10% of the building's energy needs would be met from renewable energy generated on-site by air to water heat pumps and photovoltaic cells on the roof. The statement also confirms that the building would achieve a 20% reduction in CO2 emissions through renewable energy generation and efficient building systems. These standards, and the implementation of all sustainable building construction and management to the accredited BREEAM Excellent standard would be controlled by planning condition.

## 10.7 **Planning obligations**

10.7.1 A Section 106 Agreement has been agreed with the applicant in connection with the planning application. They would sign the draft agreement following a grant of

planning permission and the subsequent transfer of land ownership from Leeds City Council to the applicant, because the Council cannot sign such an agreement with itself as the current landowner of the site. The draft agreement would be attached to the grant of permission, and this would be controlled by Condition 3 as set out in Appendix 1. The agreement would contain the following obligations:

- Contribution to local public realm provision prior to commencement of development in accordance with UDPR Policies GP7, CC11, CC12, N12 and LD1, Riverside Proposal Area Statement 21, and the Sovereign Street Planning Statement 2011(to be confirmed verbally at Panel)
- Public transport contribution in accordance with SPD5 Public Transport Improvements and Developer Contributions £66 481
- Travel plan monitoring fee in accordance with the Travel Plans SPD prior to the £5900
- Cooperation with local jobs and skills training initiatives during construction and subsequent building use through the provisions of a Section 106 clause in accordance with UDPR Policy R5.
- Section 106 management fee £750

10.7.2 As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

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

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

As listed above, there are matters to be covered by a Section 106 agreement. These matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. In this case because the Council owns the site, the provision of the Section 106 would be controlled by planning condition, and would be completed following the sale of the site to the applicant.

## **11.0 CONCLUSION**

11.1 This proposal would be the first new prestige office to be provided in Leeds City Centre in recent years. It would be a welcome investment from a 'blue chip' firm that would help enable the City to meet the emerging Leeds Core Strategy (Draft 2012) spatial vision, that by 2028, Leeds will have maintained and strengthened its position at the heart of the City Region and grown a strong diverse and successful urban economy, with skilled people and competitive businesses, which are sustainable, innovative, creative and entrepreneurial. It is also considered that the proposal would meet the urban design, sustainability, and highways and transportation aspirations of the UDPR Riverside Proposal Area Statement 21, Sovereign Street Planning Statement 2011, and the National Planning Policy Framework. The application proposal is therefore recommended for approval.

## **Background Papers:**

Application file 12/004018/FU

Certificate of Ownership B signed by agent on behalf of applicant and Notice No.1 served on site owner Leeds City Council.

## **Appendix 1**

Non-standard conditions

3. No development shall take place pursuant to this planning permission until a planning agreement substantially in the form of the draft attached and (unless otherwise approved by the Local Planning Authority) binding all of the land which is the subject of this planning permission has been executed by all relevant parties and completed by the Local Planning Authority.

In order to ensure the provision of public transport/transportation measures to meet the needs of the development, to encourage travel to work other than single car occupancy in accordance with sustainable transport principles, to ensure that appropriate employment and training opportunities associated with the construction and subsequent use of developments are sought, and to ensure the provision of landscaping and public realm improvements adjacent to the building hereby approved, in accordance with the NPPF and Leeds UDPR Policies GP5, GP7, T2, T2C, T2D, R5, LD1, CC11, C12, N12, the Public Transport Improvements and Developer Contributions SPD (2008), and the Sovereign Street Planning Statement (2011):

7. Prior to the installation of any window manifestation to the building, full details of any window manifestation to any glazed part of the building shall be submitted to and approved in writing by the Local Planning Authority. Any manifestation applied shall be in accordance with the approved details.

In the interests of visual amenity, in accordance with Leeds UDPR Policies GP5, BD2 and N13.

12. Prior to the commencement of development, full details of the provision of off-site highways works to Pitt Row as indicated on Arup Drawing CH-001 P1 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented as approved prior to the first occupation of the site unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity, and pedestrian and vehicular safety in accordance with Leeds UDPR Policies GP5, LD1, N12, and T2.

19. Prior to the commencement of development, an investigative survey to establish if part of a culvert runs through the site shall be submitted to and approved in writing by the Local Planning Authority. The survey shall determine the use, siting, depth, and condition of any part of a culvert for the length that it passes through the application site. Unless otherwise agreed in writing with the Local Planning Authority, should the culvert be located within 3 metres of the approved building footprint, it shall be diverted. Details of the proposed diversion shall be submitted to and approved in writing with the Local Planning Authority. Works to divert the culvert shall be carried out in accordance with the approved details and retained as such thereafter.

In order to allow sufficient access for maintenance and repair work to the culvert, in

accordance with Leeds UDPR Policy GP5.

20. Prior to the commencement of development an updated Sustainability Statement shall be submitted which will include a detailed scheme comprising (i) a Site Waste Management Plan (SWMP), (ii) a pre-assessment using the BREEAM assessment method achieving a credit score of 'Excellent' standard (iii) details of the solar array (iv) details of the green roof (v) an energy plan showing the percentage of on-site energy that will be produced by the selected Low and Zero Carbon (LZC) technologies and that it produces a minimum of 10% of total building demand and a carbon reduction target and plan showing a minimum of 20% reduction against building regulations and approved by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and

(a) Prior to the occupation of the development a post-construction review statement for that phase shall be submitted by the applicant including a BRE certified Excellent Standard final assessment and associated accreditation and approved in writing by the Local Planning Authority.

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

To ensure the adoption of appropriate sustainable design principles in accordance with Policies GP5, GP11 and GP12 of the Leeds UDPR, Leeds SPD Sustainable Design and Construction, the Sovereign Street Planning Statement 2011, the Regional Spatial Strategy Policy ENV 5, and the NPPF.

21. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 23 August 2012 and the following mitigation measures detailed within the FRA:
- a. Surface water run off must be managed in accordance with the LCC 'Minimum Development Control Standards for Flood Risk' document.
  - b. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
  - c. Finished ground floor levels are set no lower than 28.00m above Ordnance Datum (AOD).
  - d. Basement access points must be set no lower than 27.1mAOD.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure safe access and egress from and to the site, to reduce the risk of flooding to the proposed development and future occupants, in accordance with the NPPF and Leeds UDPR policies GP5 and N38B.

## **Appendix 2 Councillor comments at Plans Panels 5 July 2012 and 25 October 2012**

### **Plans Panel 25 October 2012:**

Plans, graphics and sample materials were displayed at the meeting. A Members site visit had been undertaken earlier in the day. Members commented on the following matters



- the funding for the bridge over the River Aire and concerns that this development did not make a contribution towards it
- the possibility of saving some of the existing trees on the site
- whether glare from the building would be controlled and the possibility of light pollution from the building
- that KPMG's decision to remain in Leeds was welcomed and that it showed there was confidence in the city
- the importance of siting the correct species of trees to suit their location, with the possibility of willow trees being considered for the site if the water table was high enough
- that the building was well designed but the greenspace was problematic and that although they were two individual applications, it was difficult to separate them.
- Members welcomed the principle of locating a blue chip headquarters office building in this sustainable location, on a vacant, cleared site in need of regeneration
- Members stated that the footprint and massing were appropriate in the context of nearby buildings and the guidance in the Sovereign Street Planning Statement 2011
- Members stated that in respect of the proposed roof-top plant treatment, that further details were needed and that it should be taken into account that due to the height of some of the surrounding buildings, the roof of the building would be visible from some locations.
- Members stated that the principle of the proposed detailed building design would be acceptable, subject to conditions requiring on-site samples, external cladding and building feature (e.g. fins and brise soleil) samples and detailed typical working drawings at construction phase.
- In respect of areas of full height privacy manifestation proposed to parts of the Sovereign Street and Pitt Row elevations, Members were informed that KPMG wished to screen some of the back office functions, i.e. the post room and staff canteen, but also wished for issues of commercial confidentiality, to screen the conference rooms and meeting rooms. Whilst the screening of back office functions would be towards Pitt Row which was a less sensitive location, the conference and meeting rooms would be on Sovereign Street, with concerns at the impact of this on the corner of the building. Members discussed this and were of the view that whilst there was a need to ensure appropriate security there were options available which would not necessitate blocking out a key part of the building to the detriment of its visual appearance.
- Regarding the street and landscape planting around the proposal, consideration should be given to the possibility of replanting some trees within the site could be explored and to note that Councillor Nash wished to be involved in the selection of tree species for the site.
- in respect of greenspace contributions, to note the comments made and that the development should make a financial contribution in lieu of on-site landscaping and tree provision
- that Members were happy with the general approach to highways and transportation matters in relation to the site
- in respect of sustainability measures in the proposed building design, that further information, particularly around glare, be provided.

#### **Plans Panel 5 July 2012 Pre-application presentation:**

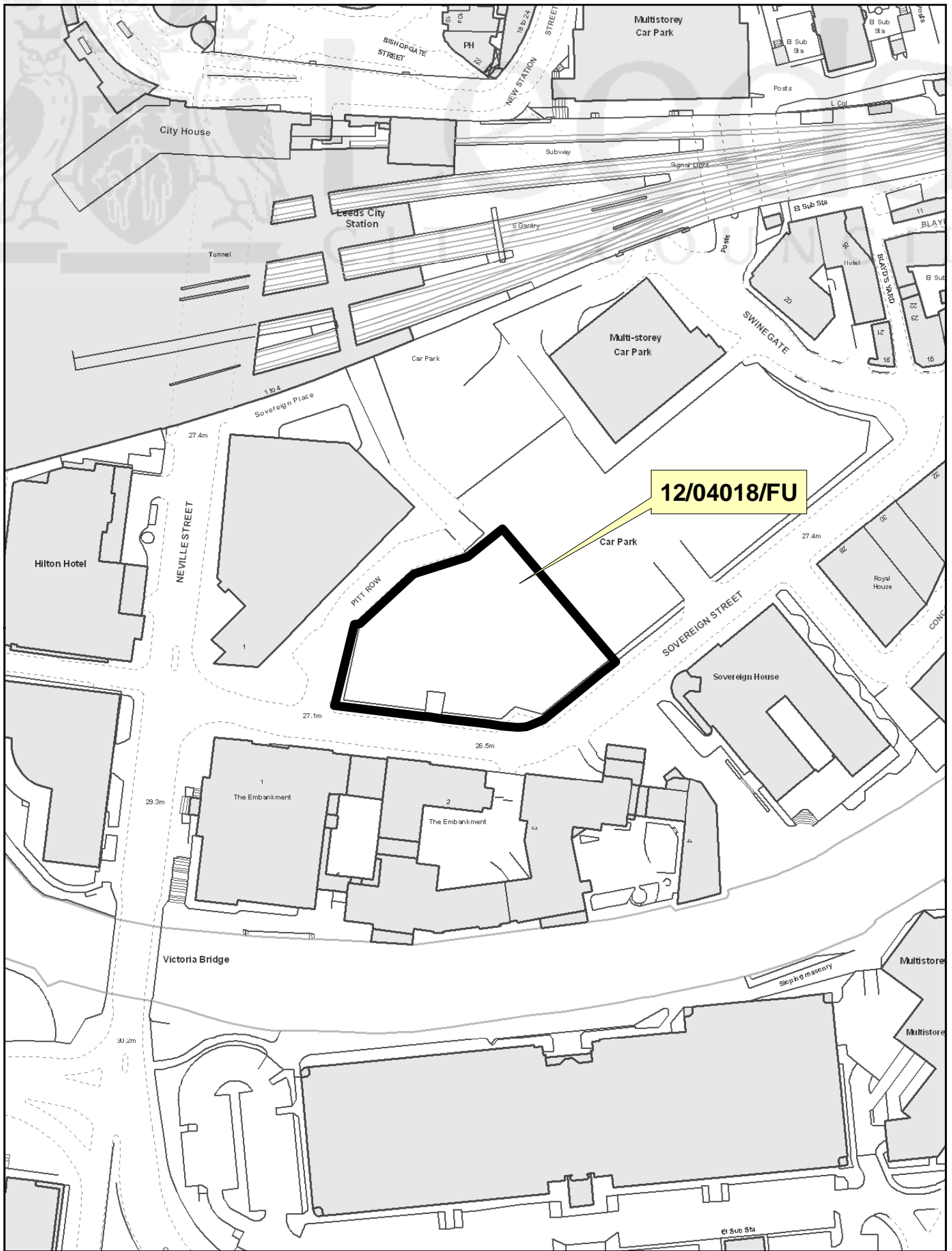
Members raised the following comments (*with the architect's responses in brackets*):

- Clarification as to why the building was limited to only four storeys (*The architect confirmed that KPMG (the intended occupants) were in agreement with a four storey building and the design suited it's purpose. Also the scale was still considered suitable for its context*)

- Clarification whether the building proposal would be linked to the delivery of the proposed bridge over the River Aire (*The architect welcomed the increased connectivity that would be delivered by the proposed bridge, but it did not form part of the remit of this development*)
- Clarification of the delivery process for the bridge (*The Chief Planning Officer responded that realising the aspirations for a bridge in this location was dependent upon utilising 3<sup>rd</sup> party land and putting in place the required funding*)
- The need to introduce a water feature, either internally or externally that would tie up with the greenspace proposals (*The architect agreed to consider this issue further*)
- Clarification of how many people would be employed in the building; details of the restaurant facilities available and the need for reassurances to be given that the restaurant use would not compete with aspirations for a vibrant square (*The architect informed the meeting that 700 people would occupy the building and that the restaurant was necessary to cater for the needs of a 24/7 office function, but it would be an ancillary element to the office use and would not compete with the future use of the greenspace*)
- The need to consider solar panels and for more information to be supplied in this regard (*The architect commented that solar panels would not provide sufficient energy for the building and as an alternative he preferred high performance glazing. He agreed to have further discussions on this issue*)
- Clarification if Scott Brownrigg would be the architects on the other two sites (*The architect welcomed the opportunity to be involved, subject to the Council protocols*)
- Clarification if the applicant had taken green travel plans into consideration (*The architect confirmed that plans were in place*)
- Concern that there was no mention of the collection of rain/grey water within the outline proposals (*The architect welcomed this suggestion. Sustainable design was a key consideration for the proposals. If rainwater recycling was beneficial and not energy hungry then it can be considered*)
- The need for the plant on the top of the building to be obscured as much as possible (*The architect confirmed that the design team would seek to minimise its visual impact*)
- In concluding discussions, the Chair put forward the following specific matters for Members consideration - was the general form of the building acceptable, does the building address Sovereign Street and the new greenspace successfully, and was the rooftop plant resolved successfully within the roof-form of the building - it was the consensus of the meeting that the above matters were acceptable, subject to screening and reducing the visual impact of the rooftop plant as much as possible.
- The Panel were keen for the applicant to work very closely with the Greenspace officers on the details of the scheme and to see sight of the proposals for building plots B and C as soon as possible. The Panel also stated that should there be any delays with regards to the proposals for building plots B and C, the applicant should take into account a requirement for the land to be grassed over in the meantime.

### **Appendix 3**

Plan – Sovereign Street Site Development Framework (from Sovereign Street Planning Statement 2011)



# CITY PLANS PANEL





# KEY

- SITE BOUNDARY
- 5-6 DEVELOPMENT SITES
- A POSSIBLE STOREY HEIGHTS
- ← ACTIVE FRONTAGE
- URBAN GREEN SPACE (HARD + SOFT LANDSCAPE)
- A OFF SITE CONNECTION FOOTWAY EDGE
- ← KEY PEDESTRIAN ROUTE
- KEY FUTURE PEDESTRIAN LINK (OPTIONS/POSSIBILITIES SHOWN)
- TREES ALONG STREET EDGE
- ← KEY VIEWS
- ← VEHICLE/DELIVERY ACCESS (GENERALLY TO BASEMENT PARKING)
- POSSIBLE VEHICLE LINK
- POSSIBLE DROP-OFF
- POSSIBLE OPPORTUNITY FOR BUT MULTI-STOREY + PROVIDE ARCADE
- POSSIBLE ARCADE/SHELTERED ROUTE
- RAILWAY ARCHES TO BE RE-DEVELOPED (FUTURE OPTION)
- RAILWAY ARCHES REGENERATED/IN USE

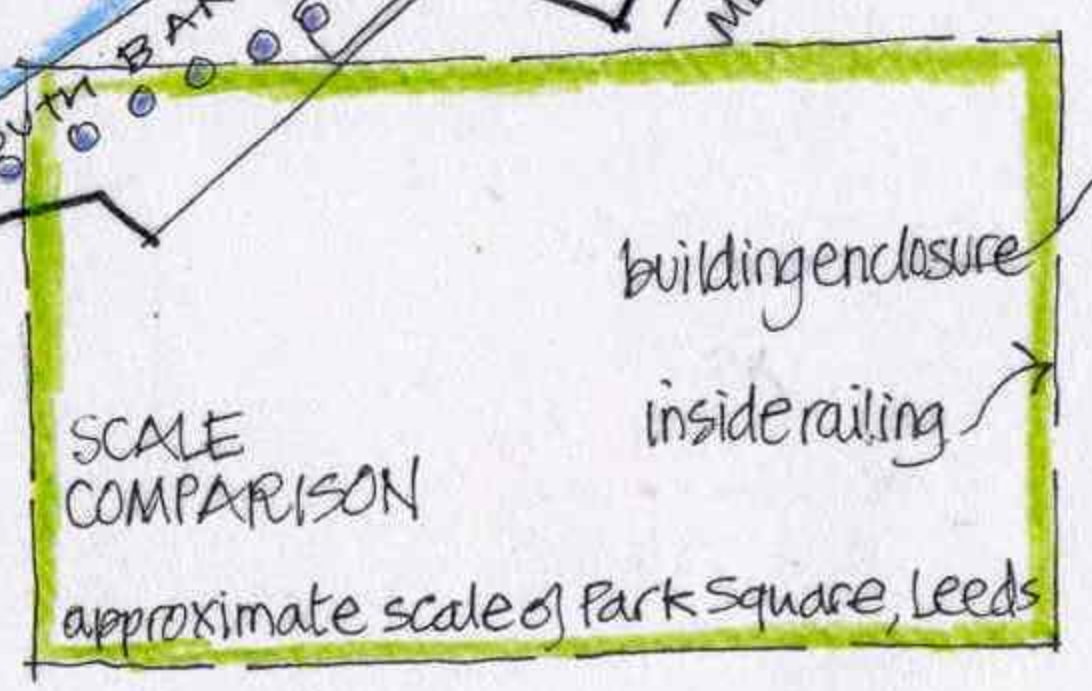
NB POSSIBLE NEW HIGHWAYS ALIGNMENT & IMPROVEMENTS FOR PEDESTRIANS ESPECIALLY AROUND SWINEGATE

NB ENCOURAGE POSITIVE RELATIONSHIP BETWEEN BUILDINGS & PUBLIC REALM/CITY PARK ~ INTEGRATED USES SUSTAINABLE CHARACTERISTICS & FEATURES

**OPTION 1A**

**SOVEREIGN STREET DEVELOPMENT SITE FRAMEWORK**

INDICATIVE ONLY



50M approx.

~INDICATIVE DRAWING ONLY~

MB. SBU NOV 2010  
 REV. APR. 2011