



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 22nd June, 2023
at 1.30 pm

MEMBERSHIP

Councillors

C Campbell
B Anderson
D Blackburn
K Brooks
P Carlill
D Cohen
K Dye
R Finnigan
C Gruen
A Khan
A Maloney
J McKenna (Chair)

Please do not attend the meeting in person if you have symptoms of Covid 19 and please follow current public health advice to avoid passing the virus onto other people.

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A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 18 MAY 2023</p> <p>To confirm as a correct record, the minutes of the meeting held on 18 May 2023.</p>	9 - 16
7	Little London and Woodhouse		<p>PREAPP 23 00108 - LAND AT 4-23 GEORGE STREET, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding a pre-application for the redevelopment of properties for a mix of uses, including new hotel (use Class C1) which will sit above a range of small commercial units including a (Use Class and Sui Generis) at ground floor level.</p>	17 - 32
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>Thursday, 13 July 2023 at 1.30 p.m.</p>	

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties— code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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To all Members of City Plans Panel



Contact: Daljit Singh
Tel: 0113 3787971
daljit.singh@leeds.gov.uk

Our ref: City Site Visits
Date: 12.06.2023

Dear Councillor

SITE VISITS – CITY PLANS PANEL – Thursday 22nd June 2023

It has been agreed with the Chair of City Plans Panel to undertake site visits as detailed below on the morning of the next City Plans Panel meeting.

Since the site to be visited is within walking distance of the Civic Hall it has been agreed not to hire a mini-bus in this case. Please contact me if this causes particular difficulties and I can agree arrangements to meet you on site.

Otherwise please meet in the **Ante-Chamber, Civic Hall at 11.00am for a prompt start at 11.05am.**

Time	Ward	Site
11.05 am	DEPART FROM CIVIC HALL	
11.25 – 11.55 am	Little London & Woodhouse	Preapplication reference PREAPP/23/00108 – Demolition of existing buildings and replacement with mixed use development comprising Class E and sui generis commercial space at ground floor with proposed hotel use at the upper floors at 4-23 George Street, Leeds

Please notify me if you will be attending.

Yours sincerely

Daljit Singh
Group Manager
Planning Services

Plans Panel Site Visits Risk Assessment; Control Measures and Guidance

- Anyone with symptoms of Covid 19 or required to self-isolate in accordance with the most current guidance must not attend Panel Visits.
- Officers who are classified as clinically extremely vulnerable and are at a high risk of severe illness or who have a number of conditions listed under the moderately vulnerable category leaving them at greater risk, or in a higher risk groups e.g. over 60s, BAME staff should only attend Panel visits following a personal risk assessment

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CITY PLANS PANEL

THURSDAY, 18TH MAY, 2023

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, K Brooks,
P Carlill, D Cohen, A Garthwaite, C Gruen,
A Khan and B Anderson

SITE VISITS: Councillors Anderson, Brooks, Garthwaite, Khan and
McKenna

90 Chair's Opening Remarks

The Chair informed the Panel that this would be Councillor Garthwaite's last meeting of City Plans Panel as she was due to take up her duties as Lord Mayor of Leeds for the 2023/24 Municipal Year. Members congratulated Councillor Garthwaite on her appointment and wished her well for the following year.

91 Appeals Against Refusal of Inspection of Documents

There were no appeals.

92 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information.

93 Late Items

There were no late items.

94 Declaration of Interests

There were no declarations.

95 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor C Campbell.

96 Minutes - 23 March 2023

RESOLVED – That the minutes of the meeting held on 23 March 2023 be confirmed as a correct record.

A question was asked regarding the provision of a report on student housing need within the city and the affordability of purpose built student accommodation . It was reported that this would be raised with colleagues in

Draft minutes to be approved at the meeting
to be held on Thursday, 22nd June, 2023

the policy team, along with likely timescales, and is likely to be taken to Development Plans Panel in the first instance.

97 Application 22/02638/FU - Land South of Whitehall Road, Leeds

The report of the Chief Planning Officer presented a hybrid application consisting of a Full element for 12 storey office building with Use Class E at ground level (comprising ground plus 11 storeys plus plant) and 14 storey multi-storey car park (MSCP) with use Class E at ground level (comprising ground plus 13 storeys) and internal infrastructure works and landscaping.

Also an Outline element for 8/11 storey office building/hotel/aparthotel (comprising either ground plus 7 storeys and plant for office or ground plus 9 storeys and plant for hotel/aparthotel) with means of access and scale to be considered; and the principle of an office building with only means of access to be considered with all matter reserved.

Members had visited the site prior to the meeting on 23rd March 2023 when the application was deferred to allow opportunity for all parties to consider the daylight impact assessment. Site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted:

- The daylight and sunlight impact assessment document had now been published
- With regards to Plot 9 the Panel was only being asked to consider the principle of office use and the proposed means of access at this stage.
- Plots 2 and 5 were presented in detailed form. Plot 2 would be an office building and plot 5 a multi-storey car park.
- Plot 4 proposals were in outline for either an office or hotel use with access and scale parameters for consideration at this stage.
- The on-site green space offering had been re-evaluated. The proposed public realm providing enhanced connections between Whitehall Road and the riverside were considered to form part of the required greenspace provision. In addition there would be improvements to the paved semi-circle at the riverside, the enhanced riverside public realm and the inclusion of a green wall as part of the multi-storey car park.
- Bio-diversity gains would be delivered elsewhere within the ward where possible and if not in adjacent wards.
- The application was considered to be a positive addition to the regeneration of a key city centre brownfield site.
- Details on the scale and design of Plot 9 would be subject to consideration and approval at the reserved matters stage.

In response to questions and comments from the Panel, the following was discussed:

- The scale of Plot 9 was not for consideration under this application. Members would have opportunity to consider this at the reserved matters stage.
- It was understood that the semi-circle landscaped area would be developed under the application that was approved in December 2022 in which case the current development proposals would be required to provide an off-site greenspace contribution to mitigate any shortfall against policy requirements.
- There would need to be a sunlight and daylight assessment at reserved matters stage when further detail with regard to Plot 9 was brought forward. This would be brought to Panel for consideration.
- There would be a biodiversity shortfall due to the constraints of the site. There would be an off-site contribution for off-site improvements. A location for this was yet to be determined. Work would be undertaken with Parks & Countryside to identify a suitable site. Ward Members would be consulted at an early stage.
- The loss of biodiversity on site did not necessarily constitute over development of the site. City Centre sites expected higher density of developments and there were difficulties providing an uplift in biodiversity. Off-site contributions could be more appropriate and enable a more efficient use of land.
- There was still some concern that issues regarding Plot 9 had not been resolved.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions at Appendix 2 (and any amendment to or addition of others which the Chief Planning Officer considers appropriate), subject to resolving the outstanding technical concerns of Highways and Flood Risk Management and also subject to the completion of a Section 106 agreement to secure the following:

- Employment and training of local people.
- Publicly accessible areas.
- Travel Plan Review Fee - £14,977 (Plots 2 and 4)
- The provision of 2 Leeds City Council Car Club spaces.
- A contribution towards highway improvements to Globe Road junction - £420,000
- Biodiversity improvements off-site - £15,000
- A contribution for free trial membership usage of the car club by staff employed at the development - £10,786 (£13,844 if building 4 is developed as offices)
- Travel Plan Review Fee & Car Club Trial Membership for Plot 9
- Legible Leeds Wayfinding signage - £10,000
- Recalculation of Greenspace at commencement of development if 22/0251/FU has already delivered the riverside park and walkway to the north of the River Aire
- S106 monitoring fee

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the applications shall be delegated to the Chief Planning Officer.

98 Applications 22/04079/FU and 22/04080/LI - 7 Duncan Street, Leeds, LS1 6DQ

The report of the Chief Planning Officer presented an application for full planning and listed building applications for the conversion of upper floors to Serviced Accommodation/Short Term Lets (Use Class C1) including internal and external works, replacement bin store and new external staircase at 7 Duncan Street, Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

Issues highlighted in relation to the application included the following:

- It was proposed to convert the upper floors to provide 10 short stay accommodation units.
- The building was a Grade II listed building within the City Centre Conservation Area.
- A previous approval had been given for conversion to flats and this was never implemented. The upper floors had remained vacant since 2006.
- There was a shared access to the side and there was an enclosed yard area to the rear which included an outdoor seating area for a basement bar.
- The inside of the building was in a state of decay. There were some surviving features including the windows and cornice detailing and it was proposed to repurpose and enhance the character where possible.
- The Duncan Street entrance was proposed to be used for the upper floors.
- There would be four rooms each on the first and second floors and two larger rooms in the third floor roof space. As the rooms would be used for short term hotel accommodation, space standards did not apply.
- There would be little change to the front and side other than refurbishment and cleaning works. To the rear there would be the removal of a flue and alterations to a fire escape. Bricked up windows would be re-opened with new windows.
- The application had been brought to Panel because the site was allocated for residential and office use in the Site Allocation Plan and the proposal represented a departure from the allocation.
- The building had been vacant for a long time and residential use had not been deliverable. The application provided a good re-use of the building and would retain and enhance the character of the listed building.

- There had been some objections from an adjacent occupant and these had been addressed in the report.
- There was no opportunity for cycle storage but the area was sustainable in terms of public transport.
- The application was recommended for approval.

In response to questions and comments from the Panel, the following was discussed:

- Cycle storage – there was short stay cycle parking spaces across the road from the building and also nearby on Briggate. There would be secure cycle storage available in the refurbishment of the railway station.
- There would be direct access to the management team for the apartments via the use of an app. There would be a security, maintenance and cleaning team based in Leeds.
- There would be cooking facilities available in the apartments.
- Members supported the application and the re-use of a vacant building and felt it was suitable for the location.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any amendment to or addition of others which he might consider appropriate)

99 PREAPP-22/00217 - The Core, Lands Lane, Leeds, LS1 6JB

The report of the Chief Planning Officer introduced a pre-application for a proposed development comprising demolition and replacement of an existing shopping centre with a mixed use development comprising Class E commercial floorspace and purpose built student accommodation at The Core, Lands Lane, Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed throughout the discussion of the pre-application.

The applicant's representatives addressed the Panel. Issues highlighted included the following:

- The applicant had a track record of delivering similar schemes and examples elsewhere were displayed.
- There were limitations in converting the existing building and this would not provide future flexibility for further conversion.
- History of the site – there was previously more permeability through the site and the Red Hall building previously on site was the first red brick building in the city centre. The site was within the City Centre Conservation Area and was surrounded by strong heritage assets.
- The character of surrounding streets.

- It was planned to go with a range of red brick tones across the buildings.
- It was proposed to have three separate buildings which would introduce two new streets running east to west. Ground floor space would be for retail use. The buildings would reflect their immediate character areas. The new streets would be parallel with existing arcades.
- The entrance for the student accommodation would be in a prominent location on The Headrow with access between the 3 separate buildings facilitated by high level glazed linking corridors. There would be different styles of student accommodation within the development.
- Landscaping – there would be external communal courtyard spaces provided for each building and there was opportunity for biodiversity gain at the site.
- CGI images of how the proposals and street scene would appear were displayed.
- The buildings would be connected with glazed bridges at first floor level.

In response to questions and comments from the Panel, discussion included the following:

- This would be a positive development and the creating of through streets would be an improvement.
- The Headrow façade would refer to the historic feel of the area with prominent corners and a retail entrance to the eastern corner. There would be some detailing to the brickwork.
- There would be more detailing on landscaping at the application stage. There would be opportunity to provide planting and seating areas.
- Some Members considered there should be a range of materials across the three buildings including the use of stone. Members comments would be considered further prior to submission of the full application.
- The through route to Albion Street was currently quite dingy and there would be a commitment to consider improvements.
- Servicing and deliveries would be via King Charles Street and there would be loading bays.
- Provision of health infrastructure – this would be considered in further detail.
- There would be a 24 hour manned reception desk to deal with deliveries.
- The opportunity for providing community space would be considered.
- In response to a question whether general residential accommodation could also be provided the developer stated that with a single point of entry to the upper floors it would be difficult to manage the necessary segregation between student and general market housing use. Also there was still a need for student accommodation in the city centre and this would free up other existing accommodation for residential use.
- The potential use of materials other than red brick.

- The need to provide a good greenspace environment and best use of outdoor areas.
- In response to questions outlined in the report, the following was discussed:
 - Members supported the principle of the development.
 - Members supported the proposed scale and form of the development (subject to the outcome of wind testing at application stage).
 - Further detail was required regarding the proposed approach to amenity and space standards within the development.
 - Further detail was required for the emerging approach to public realm.
 - Further detail was required regarding the development's emerging approach to servicing.

RESOLVED – That the presentation and discussion be noted.

100 Date and Time of Next Meeting

Thursday, 22 June 2023 at 1.30 p.m.

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Originator:	John Hall
Tel:	3787644

Report of the Chief Planning Officer

CITY PLANS PANEL

22nd June 2023

Redevelopment of properties for a mix of uses, including new hotel (Use Class C1), which will sit above a range of small commercial units including a gym (Use Class E and Sui Generis) at ground floor level at land at 4-23 George Street, Leeds (PREAPP/23/00108).

Applicant – Leeds City Council

Electoral Wards Affected:

Little London & Woodhouse

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Plans Panel for information. The Developer will present the details of the emerging scheme to allow Members to consider and comment on the proposals at this stage.

1.0 INTRODUCTION:

1.1 This presentation is intended to inform Members at an early stage of the emerging proposals for the redevelopment of a council owned site involving the demolition of the existing buildings and the construction of a six-storey building with commercial units comprising a range of uses at ground floor and a 143 bed hotel above. The scheme is brought to City Plans Panel to allow Panel Members to make comments to inform progression of the proposals. A planning application for a similar scheme was approved in 2018 (ref. 18/03164/FU) following consideration at City Plans Panel on 13th September 2018. However, the permission was not implemented and lapsed in 2021.

2.0 SITE AND SURROUNDINGS:

2.1 The site lies within the designated City Centre as defined by the Site Allocations Plan and is unallocated in terms of land use. The site extends to 0.14ha and is located on the south side of George Street, in the eastern part of the City Centre. The site sits

adjacent to the Grade I listed Leeming House and former Butchers Row and the adjoining modern market hall.

- 2.2 The site is occupied by 1930's single storey rendered, flat roofed, commercial units on its western half and 1980's two storey shops and office buildings to the east. All the units are currently vacant and, it is understood, have been since at least October 2019. Historically the units have been used for a range of commercial uses including clothes stores, newsagents, hairdressers, jewelers, and a fish & chip shop. In addition, the market services were located on the first floor.
- 2.3 Between these sits an entrance to the modern market hall building. To the east is a further entrance to the modern market hall and an electricity sub-station and toilet block. To the north, on the opposite side of George Street, is the Victoria Gate development and John Lewis Department Store. The western end of the site is within the City Centre Conservation Area.

3.0 PROPOSAL:

- 3.1 The proposal involves redeveloping the site and constructing a six-storey building with mansard roof on the south side of George Street, and adjoining Kirkgate Market. The building would sit at the back edge of the footpath. The elevations are primarily of brick, however, the building is punctuated in the middle with a glazed frontage which marks the replacement entrance to the northern side of the market hall.
- 3.2 The ground floor would contain six commercial units, five of which are to be used flexibly across Use Class E (commercial, business and service) and Sui Generis (drinking establishments and hot food takeaways). The sixth, larger unit, is specifically identified for use as a gym, which falls under Use Class E. Five of the units would contain through access from George Street to the market hall. The larger unit, containing the gym, would only be accessible via George Street and would include a dummy frontage onto the indoor market and Butchers Row. The upper floors would be occupied by a 143 bed hotel accessed via an entrance at ground floor. The first-floor features a bar / restaurant for the hotel guests.
- 3.3 The proposal does not include car parking, however, cycle storage for the commercial units and hotel would be provided at ground floor. Servicing and drop-offs would all occur from George Street. Bin refuse storage is included within the ground floor footprint. The proposal includes basement level plant rooms.
- 3.4 Beneath the current buildings are located a set of former public conveniences for the markets building. These have fallen into disrepair and no longer form a usable facility. It is proposed that these be recorded, removed from the site and then filled in, in order to allow the building to be built above.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Ref: 18/03164/FU
Description: Demolition of existing buildings and to construct a 126 unit aparthotel with ground floor commercial uses (A1/A3/A4/A5) and access points to Leeds Kirkgate Market.
Decision: Approved
Date: 01.10.2018
- 4.2 Ref: 18/03168/LI

Description: Listed Building application to demolish existing buildings and to construct a 126 unit aparthotel with ground floor commercial uses (A1/A3/A4/A5) with access points to Leeds Kirkgate Market.

Decision: Approved

Date: 01.10.2018

4.3 The above consents were not implemented and lapsed in 2021.

5.0 CONSULTATION RESPONSES:

5.1 LCC Highways

- No objection to the principle of development
- A wide footway is expected to be retained as public highway
- Accessibility by public transport is very good
- Information on the refuse collection arrangements for the hotel would be required to ensure there is capacity at the loading bays
- The ground floor doors to the hotel circulation and gym should not open onto the adopted highway at George Street
- No car parking is proposed, which is acceptable considering the accessible location. There are (nearby public) car parks which can be used by guests of the hotel
- Cycle provision for staff and visitors to the site needs to be separate and indicated
- The requirements in the Transport SPD for number, spacing and type of cycle stands need to be met
- The proposal will require a Transport Statement, Travel Plan and Construction Management Plan
- The proposal does not raise any highway safety concerns

5.2 LCC Flood Risk Management

- The application site is located within Flood Zone 1
- There are no known flood risks which require specific mitigation
- The applicant should consider incorporation of Sustainable drainage systems (SuDS)

5.3 LCC Local Plans

- The proposed redevelopment of the site into a mixed-use development consisting of a new hotel which would be sited above a range of commercial units at ground floor is likely to be considered acceptable

5.4 LCC Design

- No concerns at this stage, subject to seeing final details

5.5 LCC Conservation

- No concerns at this stage, subject to seeing final details

5.6 LCC Contaminated Land

- A Phase 1 Desk Study is required. Depending on the outcome, a Phase 2 (Site Investigation) Report and Remediation Statement may also be required

5.7 LCC Landscape

- Opportunities for street tree planting should be explored

5.8 LCC Nature

- There should be no significant nature conservation concerns

- Biodiversity enhancements are required and should be delivered through integral bat roosting features and integral Swift brick (which will be used by House Sparrows)

5.9 LCC Access

- The plan shows two wheelchair accessible rooms on each of the floors 2-4 along with one room on level 5. This provides seven accessible rooms. One such room on each of the floors 2-4 shows an interconnecting door to an adjoining room. This is considered a valuable feature in terms of making the hotel accessible and inclusive. It means a disabled person can have a carer in the adjoining room, and families can also use this facility. One of these rooms needs to also have a ceiling hoist which runs from the bathroom into the bedroom. This will allow a person who uses a hoist to stay here. Of the seven rooms, three will require a bath instead of a shower / wet room layout. This is to meet the needs of disabled people who need to use a bath.
- The bar will require a reduced height section along with the check in / reception desk.
- The gym will need to be designated to ensure it is accessible and that there is room around the stations for wheelchairs to be parked whilst a person is exercising.

6.0 RELEVANT PLANNING POLICIES:

Development Plan

6.1.1 For the purposes of considering planning proposals at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014 and reviewed in 2019)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
- Site Allocations Plan (Adopted July 2019)

6.2 Leeds Core Strategy (CS)

6.2.1 The Core Strategy sets out the strategic level policies and vision to guide the delivery of development and the overall future of the district. Relevant Core Strategy policies include:

- Spatial Policy 1 prioritises the redevelopment of previously developed land in a way that respects and enhances the local character and identity of places and neighbourhoods.
- Spatial Policy 2 seeks to direct retail, office, intensive leisure and culture, and community development to the City Centre and designated town and local centres.
- Spatial Policy 3 seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region.
- Spatial Policy 8 supports training/skills and job creation initiatives via planning agreements.
- Spatial Policy 11 includes a priority related to improved facilities for pedestrians to promote safety and accessibility and provision for people with impaired mobility.
- Policy CC1 outlines the planned growth within the City Centre. Part B encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

- Policy CC3 states new development will need to improve connections within the City Centre.
- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and that development protects and enhance the district's historic assets in particular, historically and locally important buildings, skylines and views.
- Policy P11 states that the historic environment and its settings will be conserved, particularly those elements which help to give Leeds its distinct identity.
- Policy P12 states that landscapes, including their historical and cultural significance, will be conserved and enhanced.
- Policies T1 and T2 identify transport management and accessibility requirements to ensure new development is adequately served by highways and public transport, and with safe and secure access for pedestrians, cyclists and people with impaired mobility.
- Policy G6 protects existing open space and pedestrian corridors in the City Centre.
- Policy G9 states that development will need to demonstrate biodiversity improvements.
- Policies EN1 and EN2 set targets for CO² reduction and sustainable design and construction, and at least 10% low or zero carbon energy production on-site.
- Policy EN4 states that where technically viable major developments should connect to district heating networks.
- Policy EN5 identifies requirements to manage flood risk.
- Policy ID2 outlines the Council's approach to planning obligations and developer contributions.

6.3 **Saved Unitary Development Plan Review policies (UDPR)**

6.3.1 Relevant Saved Policies include:

- Policy GP5 states that all relevant planning considerations are to be resolved.
- Policy BD2 requires that new buildings complement and enhance existing skylines, vistas and landmarks.
- Policy BD4 relates to provision for all mechanical plant on and servicing of new developments.
- Policy BD5 requires new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and satisfactory daylight and sunlight.
- Policy LD1 sets out criteria for landscape schemes.
- Policy N19 requires new buildings adjacent to conservation areas to preserve or enhance the character or appearance of the relevant areas.

6.4 **Natural Resources and Waste Local Plan (NRWLP)**

6.4.1 The Natural Resources and Waste Local Plan sets out where land is needed to enable the City to manage resources, like minerals, waste and water and identifies specific actions which will help use the natural resources in a more efficient way.

6.4.2 Relevant policies include:

- Air 1 states that all applications for major development will be required to incorporate low emission measures to ensure that the overall impact of proposals on air quality is mitigated.
- Water 1 requires development to include measures to improve their overall water efficiency.

- Water 4 requires the consideration of flood risk issues.
- Water 6 requires flood risk assessments.
- Water 7 requires development not to increase surface water run-off and to introduce SUDS where feasible.
- Land 1 requires consideration of land contamination issues.
- Land 2 requires that development conserves trees where possible.

6.5 Site Allocations Plan 2019 (SAP)

6.5.1 The Site Allocations Plan was adopted in July 2019. Following a statutory challenge, Policy HG2, so far as it relates to sites which immediately before the adoption of the SAP were within the green belt, has been remitted to the Secretary of State. The ongoing remittal is at an advanced stage, with public comments on the main modifications proposed closing in late January 2022. The Inspector will take these representations into account before issuing final conclusions. However, at this stage it remains that Policy HG2 is to be treated as not adopted. All other policies within the SAP remain adopted and should be afforded full weight. Relevant policies include;

- RTC 1 designates primary shopping areas and protected shopping frontages
- RTC 2 protects shopping frontages within the City Centre in accordance with policy CC1 of the Core Strategy
- RTC 4 seeks to protect and enhance Leeds' shop fronts

6.6 National Planning Policy Framework (NPPF)

6.6.1 The revised National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) replaces previous planning policy guidance and statements in outlining the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the NPPF is a presumption in favour of Sustainable Development set out in three parts: Economic, Social, and Environmental. Relevant paragraphs of the NPPF are as outlined below.

6.6.2 Paragraph 110 states that appropriate opportunities to promote sustainable transport modes should be taken up; safe and suitable access provided for all users; and any significant impacts on the highway mitigated. Paragraph 112 states that priority should be given to pedestrian and cycle movements; the needs of people with disabilities and reduced mobility addressed; creation of safe, secure and attractive spaces; allow for the efficient delivery of goods; and be designed to enable use by sustainable vehicles.

6.6.3 Chapter 12 identifies the importance of well-designed places and the need for a consistent and high quality standard of design. Paragraph 126 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states that decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.6.4 Chapter 14 identifies the approach to meeting the climate change challenge. New development should avoid increased vulnerability to the range of impacts arising from climate change and should be planned to help reduce greenhouse gas emissions, such as through its location, orientation, and design (paragraph 154).

6.6.5 Chapter 15 identifies guidelines for conserving and enhancing the natural environment. Paragraph 174 states that new and existing development should not be put at unacceptable risk or be adversely affected by unacceptable levels of soil, air, water or noise pollution. Development should, wherever possible, help to improve local environmental conditions.

6.6.6 Chapter 16 refers to the historic environment. Paragraph 197 states that local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

6.6.7 Paragraph 199 states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).” Paragraph 202 states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

6.7 **Supplementary guidance**

- Tall Buildings Design Guide SPD
- Transport SPD
- Building for Tomorrow Today: Sustainable Design and Construction SPD
- Neighbourhoods for Living SPG
- Accessible Leeds SPD
- City Centre Urban Design Strategy SPG
- Hot Food Takeaway SPD

7.0 **KEY ISSUES**

Members are asked to comment on the proposals and to consider the following matters in particular.

7.1 Principle of the proposed use

- 7.1.1 The site is located within the designated City Centre.
- 7.1.2 Leeds City Centre sits at the top of the Centres Hierarchy and is the major financial and commercial centre of the city and region. One of the objectives of the Core Strategy is for the City Centre to remain a 'successful regional facility'. At the centre of the City Region and District's public transport network, the City Centre is considered a sustainable employment, shopping, leisure and cultural location, which can promote development which is less reliant on people travelling by car.
- 7.1.3 Spatial Policy 3 of the Core Strategy states that the importance of the City Centre as an economic driver for the District and City Region will be maintained and enhanced by "promoting the City Centre's role as the regional capital for major new retail, leisure, culture and office development", and "comprehensively planning the redevelopment and re-use of vacant and under-used sites and buildings for mixed use development".
- 7.1.4 Spatial Policy 8 of the Core Strategy states that a competitive local economy will be supported through, "promoting the development of a strong local economy through... leisure and tourism", and "developing the City Centre... as the core location for new retail... and other main town centre uses".
- 7.1.5 The proposal is for a mixed-use development with Use Class C1 – hotel – at upper floors, and a flexible approach to the commercial units at ground floor to include;
- Use Class E (commercial, business and service) – including retail, restaurants, offices, financial/professional services, indoor sports, gym, medical and nursery uses.
 - Sui Generis (parts P, Q and R) – including drinking establishments and hot food takeaways.
- 7.1.6 The above uses are 'main town centre uses' and would likely be supported assuming the uses do not negatively impact on the amenity of neighbouring uses and that the proposal accords with all other policies.
- 7.1.7 The George Street frontage is a protected Primary Shopping Frontage in the Site Allocations Plan (SAP). Policy RTC 2 of the SAP seeks to ensure that at least 80% of the shop frontage remains as retail (former Use Class A1). Examples of former A1 uses include shops, hairdressers, undertakers, travel agencies, post offices, pet shops, sandwich bars, dry cleaners etc. However, since the SAP was adopted in July 2019 the Town and Country Planning (Use Classes) Order ("the Use Class order") has been updated. In September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 removed Use Class A1 and established Use Class E which includes the former A1 uses as well as restaurants, offices, financial/professional services, indoor sports, gym, medical and nursery uses.
- 7.1.8 The amendments to the Use Class Order challenges the ability of the Council to control the level of retail frontage within protected frontages through the application of policy RTC 2 since commercial units within protected Primary Shopping Frontages can potentially be converted from retail into any use within Use Class E without the need to submit a planning application. In addition in this particular case it is understood the existing units have been vacant for several years making no contribution to Leeds shopping provision and, since the adoption of the Core Strategy, the additional shopping facilities of the Victoria Gate shopping centre and John Lewis store have

opened across the road. In these circumstances it is considered that the potential loss of retail uses along the site frontage would not undermine the vitality and viability of the shopping function within the street and the applicant's proposal to allow Use Class E across all ground floor commercial units is therefore likely to be supported.

7.1.9 The applicant also seeks permission for certain Sui Generis uses – drinking establishments and hot food takeaways – across the ground floor. These uses were considered under the 2018 planning application and found acceptable since it was determined that there was planning merit in promoting a presence of uses which *'provide vibrancy into the evening'* and *"complement the existing retail offer within Victoria Gate and Kirkgate Market"*. Since 2018 the Council's Hot Food Takeaway Supplementary Planning Document has been adopted and this includes a policy seeking to prevent clustering of hot food takeaways. Insofar as this proposal is concerned, Policy HFT 2 requires no more than two consecutive hot food takeaways adjoin each other, and where the number of units in a frontage is between 5 – 10 only permits a total of three hot food takeaway units. In order to comply with Policy HFT 2 the applicant should identify which units they want considered for hot food takeaways as part of a full application. Aside from the HFT SPD there has been no change in circumstances and the proposal for drinking establishments is still likely to be supported.

7.1.10 The Council seeks to support active street frontages. Site Allocations Plan Policy RTC 4 requires that protected shopping frontages maintain a ground floor window display and / or a frontage which is appropriate to the use of the premises. In accordance with Policy RTC4 the frontage should retain windows and aim to be "open" and "active" to add to the vitality of the frontage.

7.1.11 **Do Members consider that the proposed use of the site is acceptable in principle?**

7.2 Townscape considerations

7.2.1 The National Planning Policy Framework states that "good design is indivisible from good planning" and authorities are encouraged to refuse "development of poor design", and that which "fails to take the opportunities available for the improving the character and quality of an area and the way it functions, should not be accepted". Policy P10 of the Core Strategy seeks to ensure that new development is of high quality and is appropriate to its context, whilst Policy 11 seeks to protect heritage assets.

7.2.2 The elevations are primarily of brick construction with recessed brick panels and protruding banding and headers. A central glazed link assists in reducing the overall perceived length of the building block and defines the entrance to the market behind. The building steps down the hill to the east to maintain proportionate building heights and create defined breaks in the building façade along the street. A mansard roof is also incorporated to reduce the building massing from street level.

7.2.3 The south elevation faces out over the market roof. Following feedback from the Council's Design team, a brick finish is proposed. Detailing is added to the façade through the continuation of the horizontal corbelled banding, which wraps around the gable walls. Panels of protruding brick headers adjacent the windows replicate the brick detailing from the George Street façade. A glazed white brick finish is proposed to the internal elevation along Butchers Row, and a painted blockwork finish is proposed to the market interior. An external gantry structure is proposed which will accommodate ventilation equipment.

- 7.2.4 It is considered the proposed building would sit positively next to Leeming House and the Victoria Gate building opposite with the detail of the brickwork adding relief to the elevation. The glazed entrance to the market adds interest and provides a clear entrance point. It also provides a break to the frontage, dividing it into 2 wings, which helps in terms of scale and massing.
- 7.2.5 The roof form has been developed to relate to the materials used on Leeming House and has dormers which penetrate the roof plane. These dormers have a feature curved top which references the more decorative and ornate detailing on the neighbouring listed building. The dormers have been omitted in the section above the glazed slot. This emphasises the fact that this is to appear as a visual break in the terrace of development.
- 7.2.6 The southern (rear) elevation would only be visible from a restricted number of ground level locations and from some elevated positions within buildings to the south, which includes Leeming House itself. It is of a simple functional aesthetic which reflects the same principle as the rear elevation of Leeming House. This approach is considered acceptable.
- 7.2.7 The Council's Conservation officer have not raised any concerns at this stage. A Heritage Statement is required as part of a full application to undertake a detailed assessment on the City Centre Conservation Area and nearby Listed Building. It is assumed the impact on the Listed Leeming House and Butchers Row will be no greater than that identified under the 2018 application, however, this will need evidencing.
- 7.2.8 **Do Members consider that the proposed mass and form of the development and its relationship with the surrounding context is acceptable?**
- 7.3 Highways considerations
- 7.3.1 Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety. This means that the applicants must demonstrate that the development can achieve safe access and will not overburden the capacity of existing infrastructure.
- 7.3.2 The site abuts George Street, a one-way road with waiting restrictions, dedicated loading bays and, disabled parking spaces. The extent of the public highway requires adjustment to regularise the proposed alteration to the building line. The applicant has advised that the proposed footpath will range between 3.8m at the west to 4m at the east.
- 7.3.3 No car parking is proposed, which is acceptable considering the accessible location. The site is in the City Centre and is well served by public transport. There are available public car parks which can be used by guests to the hotel including the Victoria Gate multi-storey and NCP multi-storey. Separate cycle stores for the hotel and the commercial units are indicated at ground floor and will include both short and long stay spaces. The applicant has confirmed that the requirements in the Transport SPD for number, spacing and type of cycle stands will be met.
- 7.3.4 It is expected that vehicle access for servicing and deliveries will be from George Street. The ground floor plan indicates two bin stores, one behind the commercial units with the door opening onto Kirkgate market to the rear. The second bin store for the hotel is proposed to be accessed from George Street, where there are loading bays. As part of a formal application information on the refuse collection arrangements for the hotel is

required to ensure there is capacity at the loading bays. There are waiting restrictions on George Street, which allow for pick up/drop off.

7.3.5 A Transport Statement, Travel Plan and Construction Management Plan are required as part of a full application.

7.4 Flooding and Drainage

7.4.1 Core Strategy policy EN5 and NRWLP policy Water 4 seek to manage flood risk whilst NRWLP policy Water 7 requires consideration to be had to surface water drainage.

7.4.2 The application site is located within Flood Zone 1 and there have been no records of any recent flooding within the property or adjacent areas. An initial review has also identified that there are no known flood risks which require specific mitigation and would impact on the proposed development.

7.4.3 The application involves the redevelopment of a brownfield site. It is accepted that due to the proposed nature of the development the incorporation of Sustainable drainage systems (SuDS) may present a challenge. However, the applicant has agreed to consider water re-use and will submit a SuDS based Drainage Assessment as part of a full application.

7.5 Nature and Biodiversity

7.5.1 Core Strategy policy G9 states that developments will need to demonstrate: (i) That there will be an overall net gain for biodiversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement, and (ii) The design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife, and (iii) That there is no significant adverse impact on the integrity and connectivity of the Leeds Habitat Network.

7.5.2 There are no significant nature conservation concerns. However, biodiversity enhancements are required as per policy G9 of the Core Strategy and should be delivered through integral bat roosting features and integral Swift bricks (which will be used by House Sparrows). The applicant has confirmed the scheme can incorporate both bat boxes and swift bricks.

7.6 Sustainability and Climate Change

7.6.1 In 2019 the Council declared a Climate Emergency. Planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact of non-renewable resources.

7.6.2 The pre-application proposal advises that the development will be designed to meet the requirements of planning policies EN1 and EN2 to reduce total predicted carbon dioxide emissions to achieve 20% less than the Building Regulations Target Emission Rate and provide a minimum of 10% of the predicted energy needs of the development from low carbon energy. Full details of the measures that will be employed to address sustainability will be presented as part of a subsequent planning application, such that sustainability measures will be integrated into the detailed design. However, the pre-application advises that it will involve adopting the following low/zero carbon technologies;

- Air source heat pumps.

- Solar PV panels.

7.7 Landscaping

- 7.7.1 The Landscape officer has advised that opportunities for street planting along the frontage should be considered, however, officers appreciate introducing street trees in this location may prove challenging. The applicant has confirmed that there has been no intrusive survey undertaken of utilities and it is therefore unclear whether it is practical to accommodate tree planting in the footways. This will be further explored as part of a formal application.
- 7.7.2 The footway along the frontage of the building will be resurfaced to a standard that complements the paving palette recently introduced along George Street.
- 7.7.3 Full details of all soft and hard landscape proposals will be required to come forward as part of any subsequent planning application.

7.8 Accessibility and Inclusion

- 7.8.1 The Council's Access officer has reviewed the proposals and made the following comments;
- The plan shows two wheelchair accessible rooms on each of the floors 2-4 along with one room on level 5. This provides seven accessible rooms. One such room on each of the floors 2-4 shows an interconnecting door to an adjoining room. This is considered a valuable feature in terms of making the hotel accessible and inclusive. It means a disabled person can have a carer in the adjoining room, and families can also use this facility. One of these rooms needs to also have a ceiling hoist which runs from the bathroom into the bedroom. This will allow a person who uses a hoist to stay here. Of the seven rooms, three will require a bath instead of a shower / wet room layout. This is to meet the needs of disabled people who need to use a bath.
 - The bar will require a reduced height section along with the check in / reception desk.
 - The gym will need to be designated to ensure it is accessible and that there is room around the stations for wheelchairs to be parked whilst a person is exercising.

7.9 Land contamination

- 7.9.1 NRWLP policy Land 1 requires that applications to develop actual or potentially contaminated land provide sufficient information to establish whether a risk exists or will be created to people, ecological systems, buildings or controlled water when the land is developed.
- 7.9.2 A full application would require a data review or Phase 1 Desk Study as a minimum. Ideally any data review would include consideration of relevant third party information arising from application 18/03164/FU. Depending on the outcome of the Phase 1 Desk Study, a Phase 2 (Site Investigation) Report and Remediation Statement may also be required.

7.10 **Conclusion**

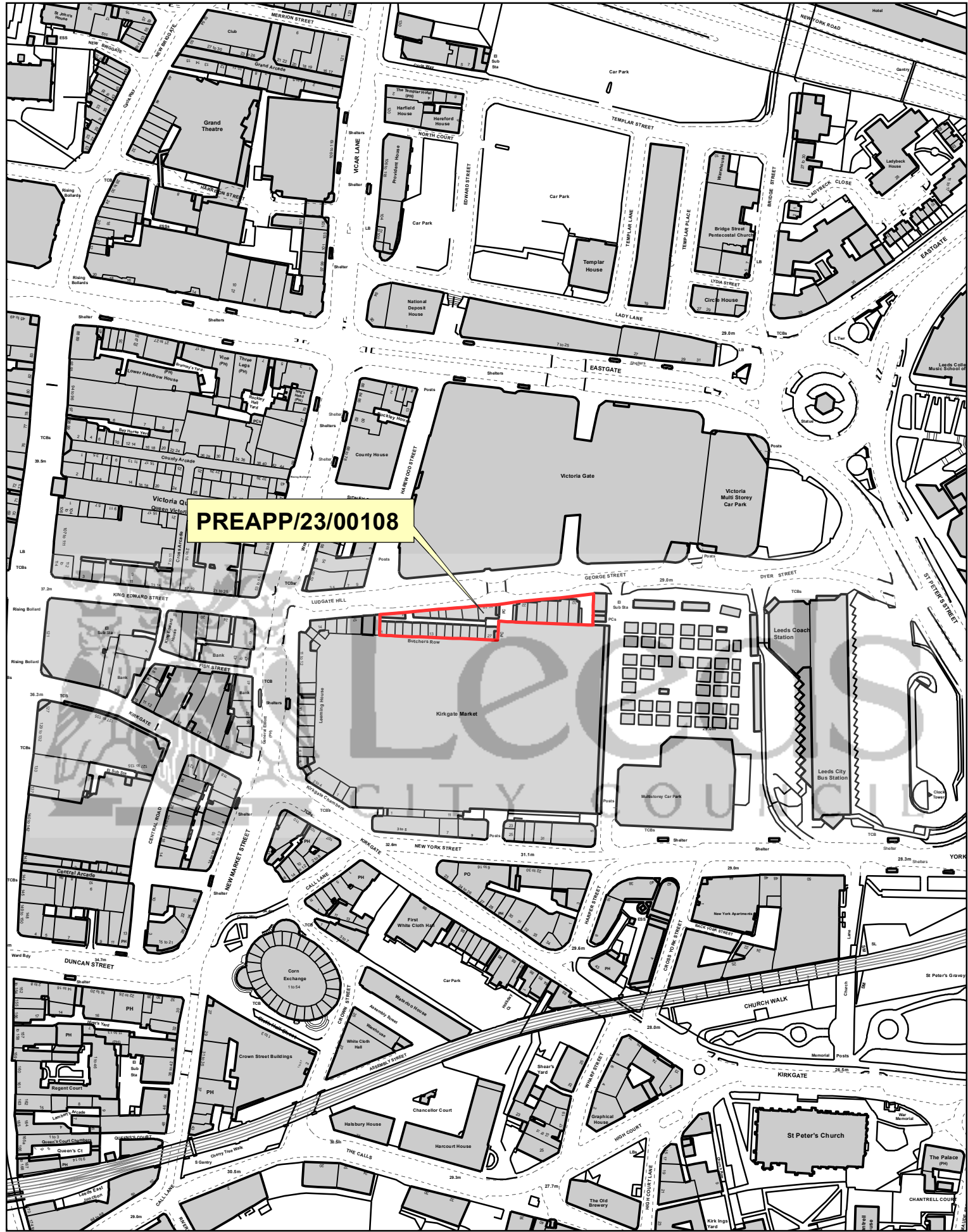
- 7.10.1 Members are asked to note the contents of the report and the presentation. In addition, Members are invited to provide feedback, in particular, in response to the key questions asked in the report above and as follows:

Do Members consider that the proposed use of the site is acceptable in principle?

Do Members consider that the proposed mass and form of the development and its relationship with the surrounding context is acceptable?

Are Members agreeable to a formal planning application being determined under delegated powers? This is assuming the proposals accord with the pre-application presentation, and subject to the outcome of the public consultation.

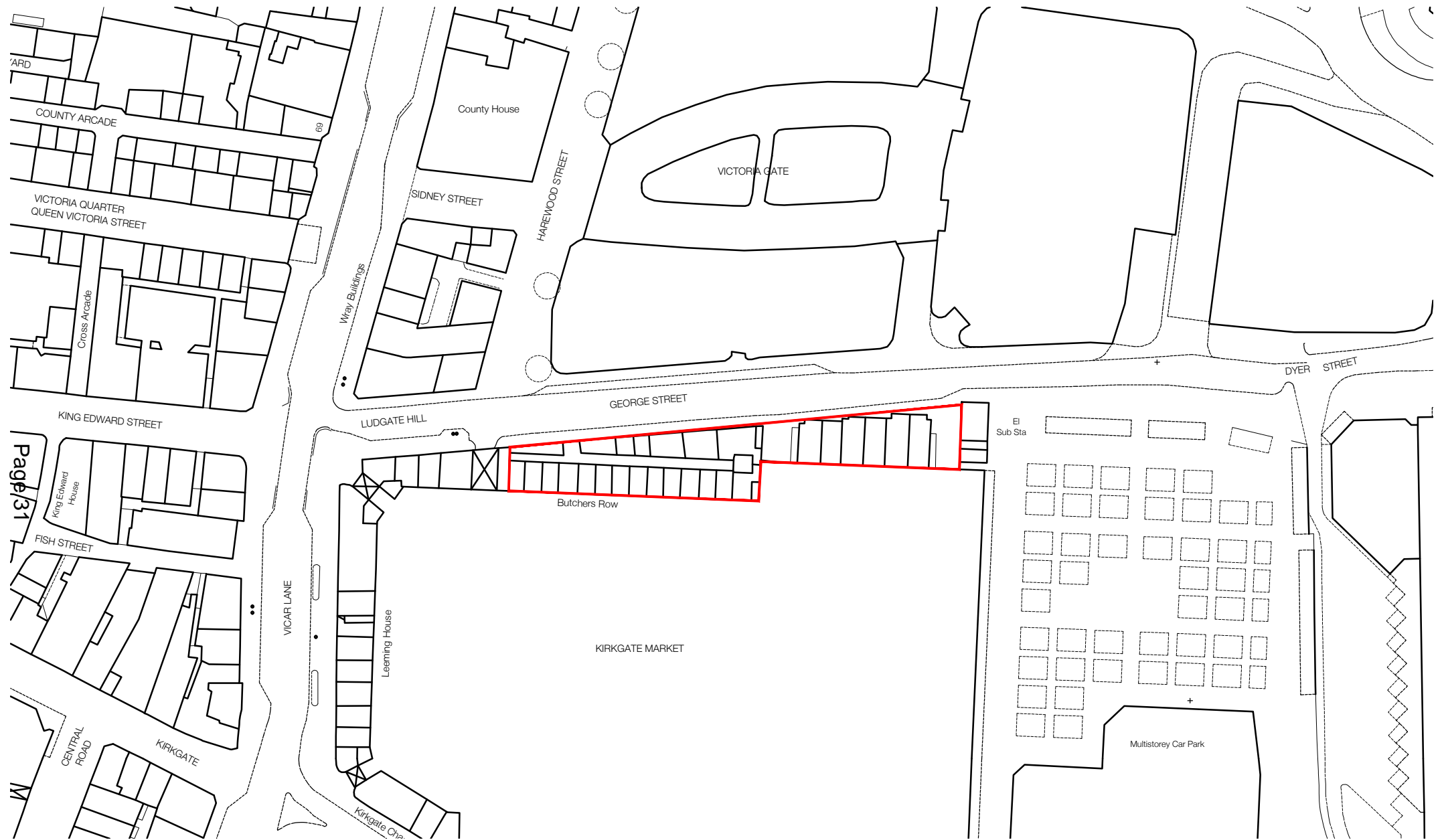
Background Papers: PREAPP/23/00108



CITY PLANS PANEL



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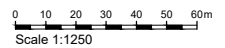


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PRELIMINARY

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