

**Leeds**  
CITY COUNCIL

Originator: John Hall

Tel: 3787644

---

**Report of the Chief Planning Officer**

**CITY PLANS PANEL**

**30<sup>th</sup> November 2023**

**Planning Application 23/05228/FU for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds**

**Listed Building Consent application 23/05229/LI for demolition of existing buildings and construction of a hotel with ancillary restaurant/bar (Class C1) and ground floor commercial uses (Use Class E (a, b, c, d, e) and Sui Generis uses public house, wine bar, drinking establishment, drinking establishment with expanded food provision, hot food takeaway) and access points to Kirkgate Market and associated works; infilling of vacant basement toilets and associated works and internal works to Butchers Row elevation at 4-32 George Street, Leeds**

**Applicant – Leeds City Council**

**Electoral Wards Affected:**

**Little London & Woodhouse**

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: Defer and delegate application 23/05228/FU to the Chief Planning Officer for approval subject to the specified conditions set out in paragraph 17 (and any amendments to or addition of others which the Chief Planning Officer might consider appropriate), and a legal agreement in the form of a Unilateral Undertaking to secure a Travel Plan Review fee of £3,999.**

**Defer and delegate application 23/05229/LI to the Chief Planning Officer for approval, subject to the conditions set out in paragraph 18 (and any amendments to or addition of others which the Chief Planning Officer might consider appropriate).**

## **1. INTRODUCTION:**

- 1.1 Leeds City Council is seeking planning permission to redevelop land at 4-32 George Street, Leeds. The proposals include a six-storey building with commercial units at ground floor (including Council run gym) and hotel at upper floors. The proposed development will replace long-vacant, low-level retail units. This is a joint report which addresses both the Planning Application (23/05228/FU) and Listed Building Consent application (23/05229/LI). Listed building consent is required because the new building will abut Leeming House and involves the infilling of vacant basement toilets and internal works to Butchers Row elevation.
- 1.2 Consent was granted for a similar proposal in 2018 (application refs. 18/03164/FU and 18/03168/LI). This consent lapsed in 2021.
- 1.3 The scheme was subject to a pre-application enquiry which was presented at City Plans Panel on 22<sup>nd</sup> June 2023. The minutes from the meeting are appended to this report. To summarise, Members considered the proposed uses acceptable, and broadly considered the proposed mass and form of the development and its relationship with the surrounding context acceptable. However, Members stressed the importance of resolving issues around landscaping, highways and sustainability.
- 1.4 Members requested the full application is brought back to Plans Panel for consideration.
- 1.5 The application meets the test of criteria (f) of the Council's Delegation Scheme due to the potential sensitivities of determining an application for planning permission made by Leeds City Council.

## **2. SITE AND SURROUNDINGS:**

- 2.1 The application site extends to 0.14ha along the south side of George Street, north of Kirkgate Market, in the eastern part of Leeds City Centre. To the north, on the opposite side of George Street, is Victoria Gate containing the John Lewis department store and a range of other shops. East of the site is

a further entrance to the more modern market hall and an electricity substation and toilet block. To the west is Leeming House (Grade I Listed) which incorporates the former Butcher's Row which is part of the Listed Kirkgate Market with the adjoining modern market hall to the south.

- 2.2 The site is occupied by 1930's single storey rendered, flat roofed, commercial units to the west and 1980's two storey shops and office buildings to the east. All the units are vacant and, it is understood, have been since at least October 2019. Formerly the units were in use for a range of commercial uses including a fish and chip shop, hairdressers, newsagents, shoe repairs and beautician.
- 2.3 The immediate area surrounding the site is characterised by commercial uses, including retail as well as other main town centre uses. The western part of the site is within the City Centre Conservation Area.

### **3. PROPOSAL:**

- 3.1 The scheme involves the redevelopment of the site to create a single six-storey building fronting George Street and sitting at the back edge of the footpath. The building would have red brick elevations punctuated with a glazed frontage marking the entrance to the northern side of the market hall. The building would be topped with a zinc clad mansard roof.
- 3.2 The ground floor would contain six commercial units. It is proposed these are consented to have flexible commercial uses to include;
- Shops other than for the sale of hot food
  - Food and drink which is mostly consumed on the premises
  - Financial / professional services
  - Indoor sport and recreation
  - Medical services
  - Public house, wine bar, or drinking establishment
  - Drinking establishment with expanded food provision
  - Hot food takeaway.
- 3.3 The largest unit would be occupied by a Council operated gym. The occupants of the other units are not known at this stage. The gym would only be accessible via George Street with the other five units containing through access from George Street to the market hall.
- 3.4 The upper floors (above ground floor) are proposed for hotel use with a first-floor ancillary bar/restaurant and four floors of hotel accommodation above with 143 bedrooms.
- 3.5 No car parking is proposed with all servicing and pick up / drop-off to take place along George Street. Separate cycle and bin storage for the hotel and commercial units would be provided at ground floor. The proposal includes basement level plant rooms. Currently the applicant, in dialogue with officers,

is considering the feasibility of providing two street trees within the pavement. The pavement would be repaved to match the footway treatment on the northern side of George Street.

- 3.6 There are a set of subterranean toilets on site which previously served the market. These have fallen into disrepair and no longer form a usable facility. It is proposed these are recorded, removed from site, and filled in.

#### **4. RELEVANT PLANNING HISTORY:**

- 4.1 The site was the subject of redevelopment proposals in 2018 when consent was given to demolish the existing buildings and construct a 126-bedroom aparthotel with ground floor commercial uses. Planning permission (18/03164/FU) was granted in October 2018, along with a separate listed building consent (18/03168/LI) due to the minor works to the listed Market building. The above consents were not implemented and lapsed in 2021.
- 4.2 The current proposal was subject to a pre-application enquiry (PREAPP/23/00108) which was presented at City Plans Panel on 22<sup>nd</sup> June 2023.

#### **5. CONSULTATION RESPONSES:**

##### LCC Influencing Travel Behaviour

- No objection subject to compliance with Travel Plan and a Travel Plan Review fee of £3,999

##### LCC Highways

- No objection subject to the applicant providing details of cycle facilities, delivering the off-site highway works (including alterations to the TRO), and submitting/approving a Statement of Construction Practice

##### LCC Climate Change and Energy

- No objection subject to as built evidence of approved measures within the Sustainability Statement

##### LCC Access

- No objection

##### West Yorkshire Police

- No objection. Guidance provided on safety measures including external lighting, CCTV, glazing and door specification, bike security, management practices and alarm systems

##### LCC Contaminated Land

- No objection subject to Phase II Site Investigation Report, Remediation Strategy and Verification Report

#### LCC Nature

- No objection subject to details of bat roosting and bird nesting features

#### LCC Local Plans

- The development proposal is considered to satisfy the conditions of the policies contained in the Local Plan

#### LCC Environmental Studies

- No objection on the grounds of local air quality

#### Yorkshire Water

- No objection subject to no building within easement of the water main, and the development being undertaken in accordance with the submitted Flood Risk Assessment

#### LCC Conservation

- The proposal will remove a negative element adjacent to the market and replace it with a high quality contextual design which will enhance the listed building's and conservation area's setting

#### LCC Landscape

- No objection

#### West Yorkshire Archaeology Advisory Service

- No objection subject to scheme of archaeological investigation

#### LCC Design

- No objection

#### Coal Authority

- No objection subject to investigation of coal mining activity and remediation works, and signed statement the site has been made safe and stable

#### LCC Environmental Health

- Concur with the findings and recommendations within the Noise Impact Assessment

#### Historic England

- No objection to the application on heritage grounds

#### LCC Flood Risk Management

- No objection subject to the development being undertaken in accordance with the submitted Flood Risk Assessment

#### LCC Environmental Studies Transport Strategy

- The proposed internal noise levels are acceptable in relation to transportation noise

Wind consultant

- No objection

## **6. RELEVANT PLANNING POLICIES:**

### Development Plan

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. 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)

### **Leeds Core Strategy (CS)**

6.2 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 CO<sup>2</sup> 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.

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

#### 6.3 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.

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

- 6.4 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.
- 6.5 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.

## **Site Allocations Plan 2019 (SAP)**

- 6.6 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 the Inspector's final conclusions expected imminently. 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

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

- 6.7 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.



- 6.8 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.
- 6.9 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.
- 6.10 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).
- 6.11 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.

- 6.12 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.
- 6.13 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.”

#### **Supplementary guidance**

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

#### **Other relevant legislation**

- 6.14 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 when granting planning permission for developments which are in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 6.15 Under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for a development which affects a listed building or its setting the council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## **7. PUBLIC RESPONSE**

- 7.1 The applications were publicised in the Yorkshire Evening Post on 15.09.23 and five site notices were posted on 22.09.23. One representation from Leeds Civic Trust was received. The Trust supports the application but recommends further windows, whether clear or glazed, are provided within the eastern part of the rear elevation to enhance its appearance, and to allow greater light penetration into the building.
- 7.2 The applicant has undertaken their own public consultation. This included a meeting with the Kirkgate Market Board on 9<sup>th</sup> June 2023, a notification letter issued to around 1130 nearby residential and commercial properties, a digital flyer provided to stallholders within Kirkgate Market, a media release and accompanying social media activity and a public consultation event held in the market on 30<sup>th</sup> June 2023.
- 7.3 A public consultation website was launched on 26<sup>th</sup> June 2023 which included information about the site, as well as an online feedback form and contact details for people to ask questions. A total of 49 online responses were received. These comments are listed in the Statement of Community Involvement. In total 34 comments were in favour of the scheme, 7 neutral and 8 against. Those supporting the scheme highlighted the positive design, regeneration of the area, the need for a hotel and gym, increase footfall and benefits to the market. Negative comments included poor design, extra traffic, waste of Council money, adverse impact on market traders and further gentrification. Respondents were also keen to ensure that the development adhered to the highest environmental standards.

## **KEY ISSUES**

### **8. Principle of the proposed use**

- 8.1 The application seeks permission for the same uses that were approved under the 2018 application (18/03164/FU).
- 8.2 Commercial uses are well established along George Street and former uses on the site also contained commercial frontages including a newsagent, fish and chip restaurant, hairdressers, shoe repairs and beautician. These would all fall within Use Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
- 8.3 This application seeks to retain Class E commercial uses at ground floor and also allow new uses including drinking establishments and hot food takeaways. The full list of proposed uses includes;
- Shops other than for the sale of hot food (Use Class E (a))
  - Food and drink which is mostly consumed on the premises (Use Class E (b))
  - Financial / professional services (Use Class E (c))
  - Indoor sport and recreation (Use Class E (d))

- Medical services (Use Class E (e))
- Public house, wine bar, or drinking establishment (Sui Generis)
- Drinking establishment with expanded food provision (Sui Generis)
- Hot food takeaway (Sui Generis)

8.4 The only confirmed occupant, a Council run gym, falls within Use Class E (d).

8.5 Although they were approved as part of the 2018 planning application the permission was never implemented and so the Sui Generis uses – drinking establishments and hot food takeaways – represent potential new uses on site. However, as part of the officer assessment in 2018 it was considered 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”. The only material change in circumstances since 2018 is the adoption of the Council’s Hot Food Takeaway SPD which restricts the clustering of hot foot takeaways under Policy HFT2. To accord with this policy it is proposed a condition is applied preventing hot food takeaways from adjoining one another. Otherwise the assessment made in 2018 still stands.

8.6 It should be noted that the George Street frontage is a protected Primary Shopping Frontage in the Site Allocations Plan (SAP) with Policy RTC 2 of the SAP requiring that at least 80% of the shopping frontage remain as retail. However, since the adoption of the SAP the Use Class order has been updated with the introduction of Use Class E which comprises both retail and non-retail uses. This challenges the ability of the Council to control the level of retail frontage 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 apply for planning permission. In any event the development would bring a vacant site back into use and it is considered the proposed commercial uses would not undermine the vitality and viability of the retail function of the area which includes Victoria Gate shopping centre on the northern side of George Street. Importantly the proposal would maintain an active street frontage by ensuring the commercial units along George Street include a high proportion of glazing to allow the activity within to be seen from the street. This complies with Site Allocations Plan Policy RTC 4 which requires protected shopping frontages maintain a ground floor window display and / or a frontage which is appropriate to the use of the premises.

8.7 The upper floors are proposed for a hotel (Use Class C1). The Core Strategy lists hotels as a ‘main town centre use’ with Core Strategy Policy CC1 stating that town centre uses will be supported within the City Centre boundary provided the use does not negatively impact on the amenity of neighbouring uses.

8.8 The proposed uses would not undermine the function of the market and would retain its unique character. It is important to remember that the existing

units have consent for a range of commercial uses including shops and restaurants. In terms of new uses i.e. drinking establishments and hot food takeaways these are considered complementary rather than competing uses since they are more likely to target the evening trade once the market has closed for the day. Furthermore, the market is likely to benefit from the influx of guests staying at the hotel.

- 8.9 The development will contribute towards the economic growth of the City's emerging hospitality section as supported by Spatial Policies 3 and 8 of the Core Strategy. The applicant advises the development will create in the order of 50 new full and part-time jobs once completed.
- 8.10 At the pre-application presentation on 22<sup>nd</sup> June 2023 City Plans Panel members indicated that the proposed uses were acceptable in principle.

## **9. Design and Heritage**

- 9.1 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.
- 9.2 The George Street elevation has been designed to reference and remain subservient to the prominent Grade 1 Listed Leeming House. Leeming House has a defined base, middle and top with the base consisting of a double height space for retail units, the middle portion featuring three storeys of paired windows and the top having a complex and decorative roofscape with dormer windows. The George Street elevation takes these principles to create a simple and functional aesthetic with a contemporary materiality to respect the listed building whilst also complementing the new Victoria Gate development. The verticality of Leeming House has been captured in the proposed design with strong brick piers in a regular arrangement along the elevation and the window voids exhibit a similar scale and proportion to that of Leeming House. The roof form has been developed to relate to 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 listed building. The roof will include solar panels set behind the dormers. These will not be seen from street level.
- 9.3 The elevations are primarily of red multi brick with the mansard roof clad in zinc. The total length of the development is approximately 120m and the building is punctuated approximately halfway along by a recessed 'slot' with glass. This assists in reducing the overall perceived length of the building block and defines the entrance to the market behind.

- 9.4 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. This gives the impression that the street scene is not read as one single building but is broken into multiple sections. The development would be set back from the flank wall of Leeming House in order to provide breathing space to the listed building. Although a minor degree of harm would be caused to the setting of the listed building resulting from the height of the building at its western end partly obscuring views of the roofscape and cupola, overall, when considering the nature and dynamic views of this area and the oblique views when moving eastwards, the bulk, form, height and massing is broadly appropriate for the site and context. The commemorative plaque is proposed to be removed from the flank wall and displayed more prominently within the two-storey retail unit.
- 9.5 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. It would be of a much simpler design which echoes the simple aesthetic of the rear elevations to Leeming House. The rear elevation is also composed of red brick and features regular window patterns. A gantry for condensers is situated in a recessed location above the market hall roof. A glazed white brick finish is proposed to the internal elevation along Butchers Row and is reminiscent of the tone and proportions of the original market street when it was opened in the 1930s. A painted blockwork finish is proposed to the market hall interior.
- 9.6 The eastern elevation is located on the edge of the site running adjacent to the existing lower market entrance. Windows and recessed panels provide a balanced elevation. Projecting string courses define the lower and upper floors, and a pattern of projecting brick headers rise vertically up the building.
- 9.7 The market entrance is one of the critical elements of the proposed development as it will provide the market with a 'new front door'. The proposals seek to create a high quality focal entrance to the markets from along George Street through the use of a glass design which will run across the entire curtain wall entrance. The market entrance will also feature a prominent glazed canopy which will be illuminated from below. The commercial frontage along George Street includes a high proportion of glazing to allow the activity within the units to be seen from the street.
- 9.8 The proposed building serves as a positive response to both the historic and modern context of the surrounding streetscape. The building appears to 'step down the hill' in response to the level change across the site and provides a clear and inviting entrance to the market beyond. The detailing includes projecting brick headers, brick corbelling, metal banding, recessed brick panels and deep brick columns.
- 9.9 The proposal is very similar to the architectural appearance of the previous proposals, and the scheme remains appropriate in architectural terms.

9.10 In terms of consultee feedback the Council's Design team have not raised an objection, and the Council's Conservation team have advised that the proposal will remove a negative element adjacent to the market and replace it with a high quality contextual design which will enhance the character and appearance of the conservation area and preserve the setting of the listed building.

## **10. Highway considerations**

10.1 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.

10.2 Vehicular access to the site remains as existing, with access onto the one-way George Street via Vicar Lane to the west. The street is circa 0.2km in length and has a speed limit of 20mph speed.

10.3 On either side of George Street are several bays which provide space for a total of 37 cars. This includes 3 accessible bays, 13 loading/parking bays, 10 loading only bays and 11 taxi spaces.

### *Servicing and deliveries*

10.4 The application proposes amending the Traffic Regulation Order for a circa 21m stretch (or circa 3 car spaces) of the loading/parking bays along the site frontage. The new TRO would restrict the bays to loading only, except taxis, and increase the wait time from 20 minutes to 40 minutes as per the requirements of the hotel. A swept path analysis shows the new TRO could accommodate servicing vehicles such as articulated lorries.

10.5 Although the amendment to the TRO would result in the loss of 3 short stay (20 minutes, no return within 1 hour) parking spaces – notwithstanding these bays can also be used for loading – the Council's Highways team in consultation with Leeds City Council Traffic consider the proposal acceptable.

10.6 The outdoor market traders are allowed to bring vehicles onto the outdoor market to set up, and back on after trading to clear up. They then exit via New York Street. In terms of the indoor market all stalls are fixed units and therefore most stock and goods are kept on site. The market is expected to be able to manage the extra demand for the George Street loading / servicing bays. The Head of Markets and Traffic have no concerns with the proposed changes to the existing TRO on George Street.

### *Car Parking*

- 10.7 The site is within the City Centre and is well served by public transport with Leeds City Bus Station a 3 minute walk away and Leeds Train Station a 10 minute walk away. For this reason the lack of parking provision for the hotel is acceptable and in line with the parking requirements stated in the Transport SPD for city centre sites. Notwithstanding this, there are several car parks nearby for staff and guests travelling by car.
- 10.8 The Victoria Multi-Storey Car Park, which can be accessed from Eastgate and on foot via George Street provides a total of 805 spaces. The car park is open 24 hours and therefore can accommodate hotel guests arriving day or night. Additionally, The Markets Car Park which is circa 250m south-east has 646 parking bays.
- 10.9 It is anticipated that most hotel guests will arrive by public transport. For those travelling by car it is expected they will use the multi storey car parks in the vicinity of the site as opposed to pay and display. The parking on George Street is restricted to a maximum of 20mins, 9am to 6pm, no return within the hour and therefore will not be suitable for long stay parking.

#### *Accessible Parking*

- 10.10 There are 3 accessible parking spaces along George Street, and 4 accessible parking spaces on Eastgate (next to John Lewis). The nearby Victoria Multi-Storey Car Park and the Markets Car Park have a total of 70 accessible parking spaces (50 and 20 respectively).

#### *Cycle Parking*

- 10.11 The proposal includes separate cycle stores for the hotel and commercial units at ground floor. The hotel would have 6 long stay cycle spaces (though it should be noted the hotel operator would allow guests to store bikes within their rooms), and the commercial units would have 5 long stay cycle spaces. The Council run gym has its own cycle provision with 1 long stay cycle space and 10 short stay cycle spaces.
- 10.12 In addition, 8 short stay cycle spaces will be provided externally. These spaces will be in the form of 4 Sheffield stands to the east of the building. Additional short stay cycle parking is available nearby.
- 10.13 In total, the development will provide 12 long stay cycle spaces and 18 short stay cycle spaces.

#### *Promoting sustainable travel*

- 10.14 The application includes a Travel Plan for the hotel, with the operator committed to encouraging sustainable travel. The initial targets of the Travel Plan are as follows;



- 10% increase in the proportions of staff who travel to work by active modes (walking and cycling) within 5 years.
- 5% increase in the number of guests arriving by sustainable transport within 5 years.

10.15 This would be achieved via the following measures and initiatives;

- Introducing a bike friend policy whereby clean bikes and non-electric scooters can be kept in hotel rooms
- Access ramps and dropped kerbs to ensure access for all
- Providing a luggage store on-site
- Employing staff who live locally
- Displaying sustainable transport information on the Premier Inn website and app
- Introducing a staff voucher scheme for Halfords
- Making all staff aware of the Travel Plan
- Providing a Travel Plan Notice Board within staff room
- Providing details of local transport links at hotel reception
- Promoting staff car sharing

10.16 A Travel Plan Review fee of £3,999 will be secured via a legal agreement in the form of a Unilateral Undertaking. The Travel Plan Review fee pays for Council Officer's time to review annual Travel Plan monitoring reports to ensure progress is being made on the agreed targets. The fee is paid prior to commencement of development.

### *Conclusion*

10.17 The Transport Statement has been reviewed as part of the planning process. The assessment demonstrates that the anticipated vehicle trips generated by the development will not have a detrimental impact on the adopted highway.

10.18 The pavement along the site frontage will retain a minimum width of circa 4m with wider pavement available at the pedestrian crossing points.

10.19 The Councils Highways team have no objection subject to the applicant providing details of cycle facilities, delivering the off-site highway works (including alterations to the TRO) and submitting/approving a Statement of Construction Practice.

## **11. Sustainability**

11.1 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.

- 11.2 The development will incorporate the following zero or low carbon energy sources;
- Solar photovoltaics (on the roof)
  - Air source heat pumps (on the external plant gantry at the rear)
- 11.3 Following energy modelling of the development it is predicted that 15,458.24kgCO<sub>2</sub>/annum will be saved, which represents an improvement of 20.02% beyond the requirements of Building Regulations Part L 2021. Therefore, it is demonstrated that the Building CO<sub>2</sub> Emission Rate meets the 20% reduction requirement as set out in Core Strategy Policy EN1, part (i).
- 11.4 The use of air sources heat pumps and solar photovoltaics represents a total of 386,773kWh/annum provided by low or zero carbon technology, or 77.85% of the development's total energy consumption. Therefore, it can be demonstrated that the contribution from low or zero carbon technologies is significantly in excess of the 10% of the total energy consumption of the building as required by Core Strategy Policy EN1, part (ii).
- 11.5 Following a BREEAM (Building Research Establishment Environmental Assessment Method) pre-assessment review it has been concluded that 76.19% of the credits could be targeted which exceeds the 70% threshold to achieve a BREEAM New Construction 2018 Other Building Excellent rating. There is also a commitment to ensure that the maximum water standard of 110 litres per person is not exceeded. This satisfies Core Strategy Policy EN2.
- 11.6 The viability of a connection to the Leeds PIPES district heating network has been explored. However, a connection to Leeds PIPES would not be viable due to distance from the network, and there are no plans to extend to the site in the next five years. There are no other district heating networks in the locality. It is therefore proposed to utilize other forms of zero or low carbon heat sources to serve the development. This satisfies Core Strategy Policy EN4.

## **12. Nature and Biodiversity**

- 12.1 Core Strategy Policy G9 requires biodiversity net gain to be provided, commensurate with the scale of the development.
- 12.2 The site is already developed and contains no vegetated surfaces and therefore in terms of Biodiversity Net Gain has a baseline score of zero Biodiversity Units. To enhance biodiversity on-site and achieve a biodiversity net gain it is proposed integral bat roosting and integral bird nesting features are installed within the building. The applicant is also looking into the possibility of planting two street trees along George Street, however, this is subject to further feasibility work. Given the site has a baseline score of zero,

it is considered the proposals provide suitable ecological enhancement. The Council's Nature team have no objection.

### **13. Landscape**

- 13.1 Due to the built-up nature of the site and its surrounds, there are very few opportunities to increase the amount of soft landscaping around the site. The applicant is looking into whether two trees can be provided within the adopted highway, however, it may not be possible due to the number of underground utilities. In particular, because of the presence of a water main any planting within the 6m easement requires agreement with Yorkshire Water. Notwithstanding this, the proposal is still being explored and a verbal update will be provided at 30<sup>th</sup> November Plans Panel.
- 13.2 The footway along the frontage of the building will be resurfaced to a standard that complements the paving palette recently introduced on the northern side of George Street.

### **14. Other issues**

#### *Flooding and Drainage*

- 14.1 The site lies within Flood Zone 1 and therefore has a low probability of flooding.
- 14.2 The site currently contains commercial units which discharge foul and surface water runoff to the public sewer in George Street. The proposed drainage strategy would also discharge to the public sewer in George Street at existing discharge rates.

#### *Noise*

- 14.3 In accordance with Policy GP5 of the Leeds UDPR a Noise Impact Assessment has been submitted. The assessment concludes that, subject to appropriate mitigation measures including specified glazing and attenuated ventilators, the site is suitable for hotel use in terms of noise. The Council's Environmental Health team have not raised an objection to findings within the Noise Impact Assessment.

#### *Wind Assessment*

- 14.4 The submitted wind assessment (which has been peer reviewed) demonstrates that demolition of the existing site buildings and construction of the proposed development will have a negligible impact on the wind conditions on site and in the surrounding area. There will be no wind safety exceedances, and wind comfort conditions will remain unchanged, and largely suitable for use. Two entranceways will remain windy but are not

expected to get worse than the current conditions. Therefore, wind mitigation measures are not considered necessary.

### *Archaeology*

- 14.5 There are a set of subterranean toilets on site which previously served the market. These have fallen into disrepair and no longer form a usable facility. It is proposed these are recorded, removed from site, and filled in.
- 14.6 The proposed development has the potential to reveal the remains of 18<sup>th</sup> century workers' housing and, potentially, elements of medieval field divisions. There is also a slight potential for human remains relating to a 17<sup>th</sup> century plague outbreak. It is proposed a programme of strip, map and record is undertaken following demolition of the extant buildings.
- 14.7 West Yorkshire have advised that a programme of archaeological mitigation should be undertaken.

### *Access and Inclusion*

- 14.8 The application complies with guidance within the Accessible Leeds SPD and meets or exceeds Part M of the Building Regulations. The hotel will include 7 accessible rooms (out of 143 rooms). Two of the accessible rooms are interconnecting which would allow a family with a disabled person to stay together. This can also be useful for people who require a carer to be close by to assist them in their care. One of the interconnecting rooms will have a ceiling mounted hoist running from the bedroom into the bathroom.
- 14.9 The site is not level with an approximately 3m level drop between the west and eastern site boundaries. Level access is however provided to all entrances of the development along the George Street frontage. This includes the new market entrance as well as commercial and hotel entrances.
- 14.10 There is disabled parking for three cars in a dedicated bay along George Street. The existing pedestrian crossings installed as part of the Victoria Gate development feature dropped kerbs and tactile paving and will be retained.

## **15. Representations**

- 15.1 As part of the formal period of consultation the Council received one representation from Leeds Civic Trust. The Trust supports the application but recommends further windows, whether clear or glazed, are provided within the eastern part of the rear elevation to enhance its appearance, and to allow greater light penetration into the building.
- 15.2 The rear elevation is largely hidden in public views and echoes the simple aesthetic of the rear elevation of Leeming House. Nevertheless improvements to the rear elevation were sought at pre-application stage

which included a change from a render to brick finish. The applicant has also advised that the windows would be difficult to maintain since cleaning involves abseiling from the roof deck. This is made more complicated by the siting of the plant gantry. Although there are windows on the western side of the rear elevation above Butcher's Row these are a necessary addition since they serve hotel bedrooms.

## **16. CONCLUSION:**

- 16.1 The proposal represents an opportunity to continue the positive regeneration of this part of the City which has been so far delivered with the completion of the Victoria Gate scheme and significant refurbishment of the Leeds Market. Officers consider the proposed uses would bring about a further positive impact on the vitality and viability of this part of the City Centre, and the proposed hotel would make a positive contribution to the tourism and leisure function of the City Centre.
- 16.2 The proposals accord with national and local planning policy objectives and, given that the proposals are very similar to those previously approved under 18/03164/FU and 18/03168/LI, and there has been no material change in circumstance, the proposals are considered acceptable.
- 16.3 The applications are recommended for approval subject to planning conditions set out below.

## **17. Proposed conditions for planning application 23/05228/FU**

1. To begin within 3 years
2. To be carried out in accordance with the approved plans
3. Details of cycle/motorcycle parking
4. Statement of construction practice
5. Off-site highway works
6. Provision of bin storage
7. Phase II Site Investigation Report and Remediation Strategy
8. Unexpected contamination
9. Verification Report
10. Details of bat roosting and bird nesting features
11. Evidence of bat roosting and bird nesting features
12. No building located within easement of water main
13. To be carried out in accordance with Flood Risk Assessment
14. Scheme of archaeological investigation
15. Investigation of coal mining activity and remediation works
16. Signed statement the site has been made safe and stable
17. Details of hard and soft landscape works
18. Replace tree/hedge/shrub within a period of 5 years
19. Comply with noise report
20. Details of any external extract ventilation system

21. Limit noise of external extract ventilation system/air conditioning plant
22. Restriction on construction hours
23. Samples of all external walling and roofing materials
24. Brickwork panel
25. Elevational details
26. Detail of any external lighting
27. Comply with Sustainability Statement
28. No adjoining of hot food takeaways
29. No offices, non-residential creche, day centre or nursery to be undertaken pursuant to permitted development rights (Use Class E, parts f and g)
30. Commercial units to have clear glazing
31. Interim site treatment
32. Training and Employment Management Plan
33. Compliance with Travel Plan

**18. Proposed conditions for listed building consent application 23/05229/LI**

1. To begin within 3 years
2. To be carried out in accordance with the approved plans
3. Samples of all external walling and roofing materials
4. Brickwork panel
5. Elevational details
6. Detail of any external lighting
7. Interim site treatment
8. Scheme of archaeological investigation
9. Reuse of any items from basement toilets
10. Details of repositioning of commemorative plaque

## **APPENDIX 1**

### **CITY PLANS PANEL**

**THURSDAY, 22ND JUNE, 2023**

**PRESENT:** Councillor J McKenna in the Chair

Councillors B Anderson, D Blackburn,  
K Dye, C Gruen, A Khan, A Maloney,  
E Flint, C Campbell and T Smith

**SITE VISITS:** Councillors D Blackburn, K Dye, C Gruen, A Khan and  
C Campbell.

#### **1 Appeals Against Refusal of Inspection of Documents**

There were no appeals.

#### **2 Exempt Information - Possible Exclusion of Press and Public**

There was no exempt information.

#### **3 Late Items**

There were no late items.

#### **4 Declaration of Interests**

There were no declarations of interest.

#### **5 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors K Brooks, P Carlill and D Cohen.

Councillors E Flint and T Smith were in attendance as substitutes.

#### **6 Minutes - 18 May 2023**

**RESOLVED** - That the minutes of the meeting held on 18<sup>th</sup> May 2023 be confirmed as a correct record.

#### **7 Matters arising from the Minutes**

It was reported that the query raised at the previous meeting with regards to the provision of a report on student housing within the city and affordability, would be fed into the Development Plans Panel work program.

#### **8 PREAPP 23 00108 - Land at 4-23 George Street, Leeds**

The report of the Chief Planning Officer informed Members of a pre-application regarding 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 gym (Use Class E and Sui Generis) at ground floor level at land at 4-23 George Street, Leeds.

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

It was reported that there was a long term ambition to regenerate this site and Executive Board had agreed the role of Leeds City Council as developer for the site. Permission for a similar scheme had been granted in 2018 but this had now expired. A full application was expected to be submitted in July **2023**.

The applicant was invited to address the Panel.

The following was highlighted:

- There were advanced discussions with a hotel operator and it was expected that a lease would be agreed within the next month.
- The scheme would include a hotel development, a council run gym and commercial spaces.
- The hotel would have 143 rooms over 5 floors and there would be commercial space at the ground floor level with enhanced access to the market hall.
- The building would be of a traditional detailed brick design with a zinc roof construction.
- One of the main differences to the previous application was a recessed main entrance which also enhances the entrance to the market.
- There would be a basement level which would house plant facilities.
- Ground floor level would have four shop units and the gym. There would be active frontages. There would also be storage for bicycles and refuse.
- The first floor would have the hotel bar and restaurant as well as accessible rooms.
- There would be fewer windows on the rear in comparison with the previous application.
- The original application had hotel provision on the ground floor. This would now be used for the gym.

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

- The plaque at the rear of Leeming House would be remounted and be visible from the street.
- The rear facade of the building would not be visible from most public viewpoints.

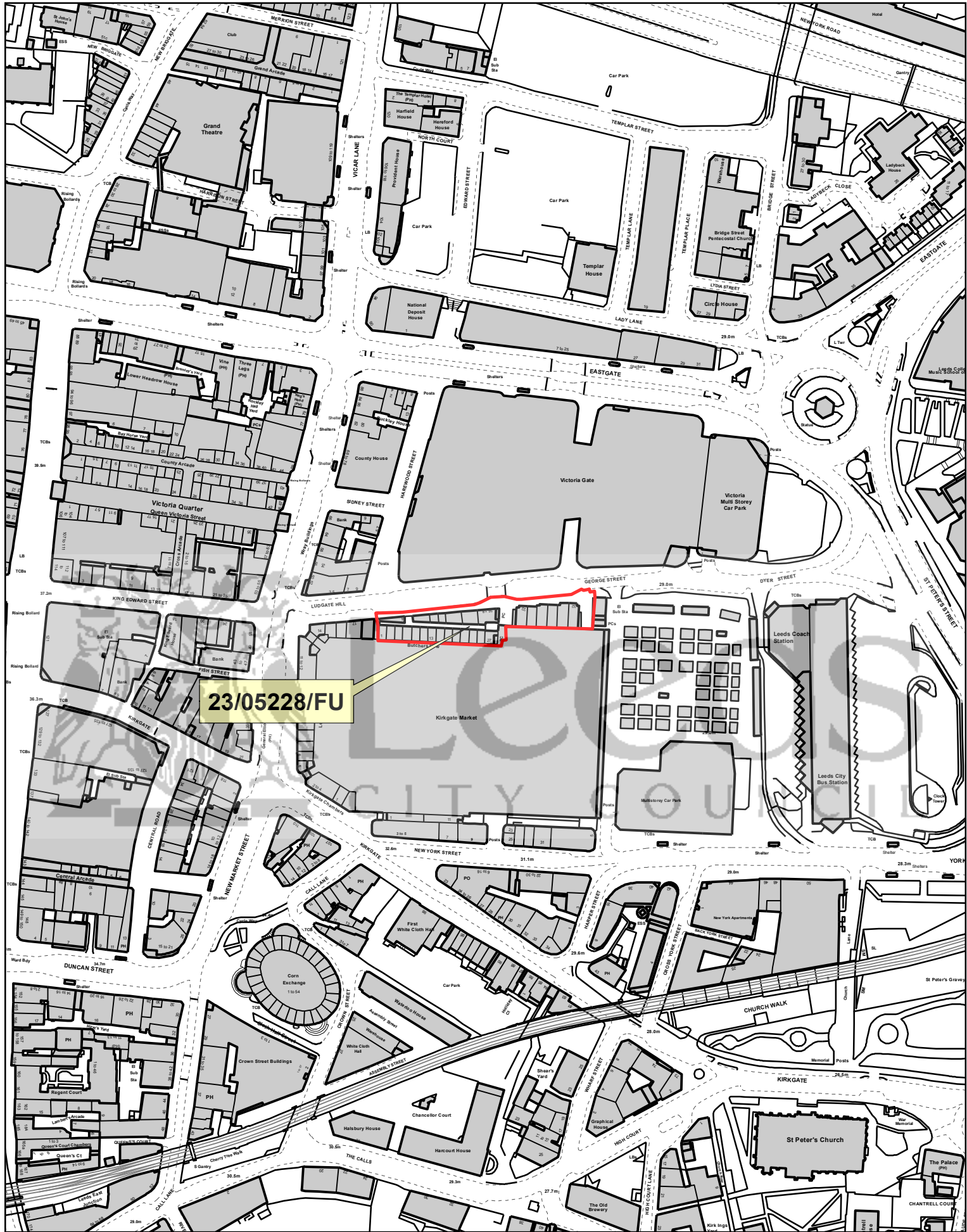


- There had been discussions regarding connection to the Leeds District Heating Network but this was not possible at the moment.
- There would be a range of carbon reducing measures. Energy requirements would be 87% from renewable sources on site including photo voltaic panels and air source heat pumps. The requirements of Policy EN2 would be exceeded by over 50%.
- There would be no use of gas at the building.
- Other energy efficiencies would include efficient glazing, insulation, LED lighting and heat recovery systems.
- More detailed sustainability information was requested to be submitted with the full planning application.
- Servicing would be located on George Street. There were two large lay bys which were currently used by markets at set times. There would be a further traffic regulation order to improve existing arrangements.
- Car parking spaces would be re-organised. There would not be a loss of spaces.
- Could there be the use of stone to reflect other buildings in the area? Brick had been chosen as the predominant material and the design would be broken up with features and glazing.
- Landscaping would mainly be provided through the use of planters. There was no scope for significant landscaping.
- There were advanced discussions with an established hotel operator for the lease and it was hoped the application would be submitted next month.
- There were discussions with market traders about working arrangements with the hotel and the gym. As part of the consultation it was proposed to place some information in the market.
- Concern regarding lack of disabled parking. There were some disabled parking bays on George Street but these were short stay.
- The planting of street trees would be considered. Members highlighted landscaping as a priority and the possibility of incorporating a green wall was suggested.
- The gym needed to be located where it was proposed on the site due to the required operational size.
- There was a degree of separation between the market and the hotel through design and there were not any bedrooms directly on the back of the market wall.
- There would not be any plant facilities visible on the roof line.

In response to questions outlined in the report, the following was discussed:

- Members considered that the proposed use of the site was acceptable in principle.
- Members broadly considered that the proposed mass and form of the development and its relationship with the surrounding context was acceptable. There had been some comments regarding the visibility of the gable end.
- Members requested that the **full** application be brought back to Panel for consideration

**RESOLVED** - That the report and presentation be noted.



23/05228/FU

# CITY PLANS PANEL

© Crown copyright and database rights 2023 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

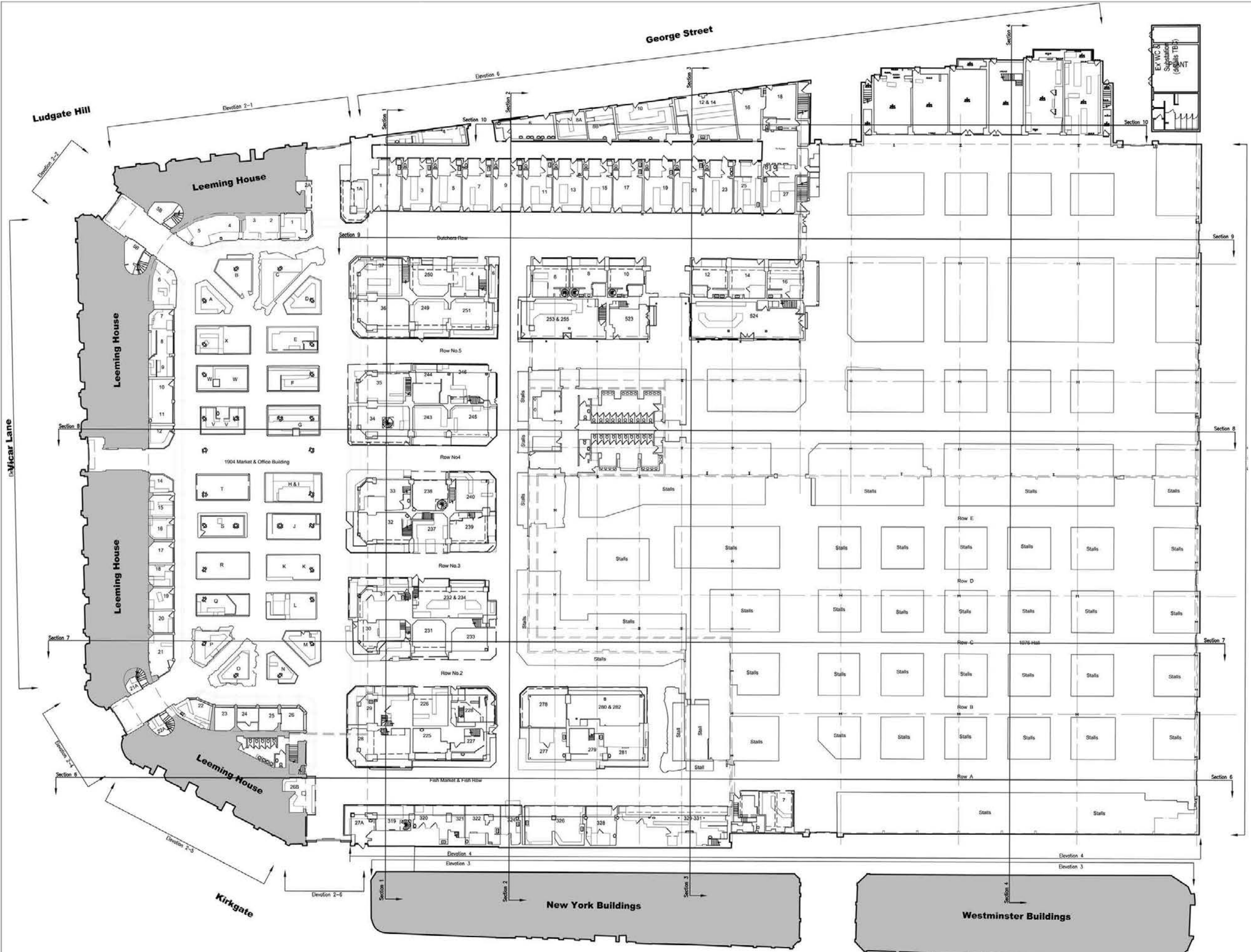
SCALE : 1/2500



Notes  
 Contractor must verify all dimensions on site before commencing any work or stop drawings. If this drawing exceeds the quantities taken in any way the Architects are to be informed before the work is initiated.  
 Only figured dimensions to be taken from this drawing. Do not scale off the drawing. Drawings based on Ordnance Survey and / or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals. Authorised reproduction from Ordnance Survey Map with permission of the Controller of Her Majesty's Stationery Office. Crown Copyright reserved.  
 © CJCT (Studio North) Ltd. All Rights Reserved.



Location Plan



P02	Issued for Approval	GXC	07/07/23	SPC
P01	Planning Issue	GXC	11/05/18	BJP
Rev.	Des.	By	Date	Ch.

Client:  
 Project:  
 George Street

Title:  
 Existing Site Plan

Scale:	Status:	Drawn by:	Checked by:	Date:
250	@A1	GXC	BJP	11.05.18

Job No:	Drawing No:	Rev No:
15012	(00)100	P02

**Carey Jones Chapman Tolcher**  
 Victoria House, 37 Southamption Row  
 London WC1B 4EA  
 Tel: +44(0)20 7265 0400  
 Fax: +44(0)20 7265 9401  
 www.cjctstudios.com

Rose Wharf, East Street  
 Leeds LS9 8EE  
 Tel: +44(0)113 224 5000

**(00)100** Existing Site Plan  
 Scale - 1:250

