



PLANS PANEL (CITY CENTRE)

**Meeting to be held in Civic Hall Leeds on
Thursday, 9th December, 2010
at 1.30 pm**

MEMBERSHIP

Councillors

G Driver
S Hamilton
E Nash

C Campbell
M Hamilton
J Monaghan

G Latty
P Wadsworth

D Blackburn

B Selby (Chair)
N Taggart

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 25 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 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE 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>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the Plans Panel City Centre meeting held on 12th November 2010</p> <p>(minutes attached)</p>	3 - 10
7	City and Hunslet;		<p>APPLICATION 07/07468/FU AND 07/07469/LI - ALF COOKE PRINTWORKS HUNSLET ROAD LS10</p> <p>To consider a report of the Chief Planning Officer on an application for change of use involving refurbishment and part demolition of printing works to offices and erection of 12 office units in eight 3 storey blocks with ancillary café/restaurant, car parking and public realm and Listed Building application for conversion to offices including refurbishment and part demolition of printing works</p> <p>(report attached)</p>	11 - 34

Item No	Ward	Item Not Open		Page No
8	City and Hunslet;		<p>APPLICATION 10/04135/RM - FORMER DONCASTER WORKS WHITEHALL ROAD LEEDS</p> <p>To consider a report of the Chief Planning Officer on an application for the erection of one 8 storey office building with basement car park and rooftop plant room at the former Doncaster Works Whitehall Road</p> <p>(report attached)</p>	35 - 44
9	City and Hunslet;		<p>APPEAL DECISION</p> <p>To consider a report of the Chief Planning Officer on the outcome of an appeal and application for alterations to form bed-sit flat to level 14 stairwell to residential block at West Point Wellington Street LS1</p> <p>(report attached)</p>	45 - 48
10			<p>DATE AND TIME OF NEXT MEETING</p> <p><u>Wednesday 12th January 2011 at 1.30pm</u></p>	

To:
Plans Panel City Centre Members

Chief Executive's Department
Governance Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Angela Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: ccpp/sitevisit/
1st December 2010

Dear Councillor

PLANS PANEL CITY CENTRE – THURSDAY 9TH DECEMBER 2010

Prior to the meeting on Thursday 9th December 2010 there will be site visits, and I set out below the details:

Depart Civic Hall Ante Chamber at 10.00am to go to Alf Cooke Print Works, Hunslet Road LS10 (Change of use involving refurbishment and part demolition of printing works to offices and erection of 13 office units in eight 3 storey blocks with ancillary café/restaurant, car parking and public realm).

Then on to Former Doncaster Works Whitehall Road Lower Wortley LS12 (Reserved Matters application for the erection of one 8 storey office building with basement car park and roof top plant room)

Returning to the Civic Hall for 12.00noon.

Please could you let Daljit Singh know (2478170) if you will be attending the site visits and assemble in the Ante Chamber at **9.55am**

Yours sincerely

Angela M Bloor
Governance Officer

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Plans Panel (City Centre)

Friday, 12th November, 2010

PRESENT: Councillor B Selby in the Chair

Councillors D Blackburn, C Campbell,
G Driver, M Hamilton, S Hamilton, G Latty,
J Monaghan, E Nash and R Wood

46 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

47 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 10/04022/RM – Arena site

Councillor Campbell declared a personal interest as a member of Leeds Bradford Airport Consultative Committee as Leeds Bradford Airport had commented on the proposals (minute 51 refers)

Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals (minute 51 refers)

Application 10/03773/LA – Multi storey car park – Woodhouse Lane LS2 – Councillor Monaghan declared a personal interest as a member of Leeds Civic Trust which he believed had commented on the application (minute 52 refers)

Application 09/03230/FU/09/03280/CA and 09/03397/LI – St Peter's Church, Church Buildings and Chantrell House Kirkgate LS2 – Councillors Campbell, Nash and Selby declared personal interests through being members of English Heritage which had commented on the proposals (minute 53 refers)

48 Apologies for Absence

Apologies for absence were received from Councillor Andrew Carter and the Chair welcomed Councillor Wood who was substituting for him

49 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 14th October 2010 be approved

50 Matters arising

The Regional Spatial Strategy

The Chief Planning Officer informed Members of the recent High Court judgement which had ruled that the Secretary of State's abolition of the Regional Spatial Strategy (RSS) was not legal and stated that this judgement would not be challenged

Members would be briefed on this in the near future but that in terms of the applications before Panel, Members were informed that the RSS was a material planning consideration and this would need to be taken into account when reaching decisions

The First White Cloth Hall

Further to minute 41 of the meeting held on 14th October 2010 where Panel had received an update of the current position following the structural failure of the building adjacent to the historic first White Cloth Hall in Kirkgate LS2, the Head of Planning Services stated that a copy of the letter sent to the Executive Member Development and Regeneration had been sent to all Panel Members, as requested

In response to a query, the Chief Planning Officer stated that he was to attend a meeting next week and would then be able to advise whether a retrospective application for the demolition of a Listed Building would need to be submitted

Eastgate and Harewood Quarter

Members were informed that the agreed date for Panel to visit a development in Leicester was 31st January 2011

51 Application 10/04022/RM -Reserved Matters details for Leeds Arena at site bounded by Clay Pit Lane, the Inner Ring Road, Wade Lane, Jacob Street and Brunswick Terrace LS2

Further to minute 75 of the Plans Panel City Centre meeting held on 22nd March 2010 where Panel approved the outline application for an arena, Members considered the Reserved Matters application. Appended to the report was a schedule of proposed conditions

Plans, drawings, including axonometric images, graphics, precedent images and a model were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report and provided details of the layout and facilities at each level, together with information on the external design of the building and the landscaping

The fan-shaped arena would have a seating capacity of 12,300 but this could increase to 13,500 if the front seats at ground floor level were removed to allow standing. When the seats were retracted it allowed for views through to the stage from the glazed atrium and beyond

Facilities for people with disabilities had been provided in terms of car parking, toilets, including a Changing Places toilet and 110 seats which would be sited throughout the arena. The 24 boxes each of which catered for 10-12 people could also accommodate wheelchairs and would be accessed by a lift

Externally a mixture of materials was proposed, these being curtain-wall glazing, perforated metal panels, acrylic panels and tinted glass which would be layered and a hexagonal pattern tracery included on the front elevation which would create a 'lens' effect. A sedum roof would be provided and rainwater would be able to be harvested from the roof and used in the building

In respect of landscaping, Members were informed that this followed on from the objectives and principles established in the outline permission

A piazza would be created on the west side with the levels being adjusted to ensure the gradient would not exceed 1:21. This space would be animated with bespoke seating, lighting and planting, with Norway Maples being proposed to the north and south of the area to provide continuity from the existing trees in Brunswick Terrace

The service road corridor which incorporated disabled parking spaces and a pedestrian route linking Clay Pit Lane to Wade Lane would now see ground based oak tree planting in response to concerns raised about the use of tree pits

The two development plots adjacent to the arena would be enhanced by the use of temporary landscaping with existing trees being retained where possible and being further enhanced by Birch and Hazel trees together with wildflower meadows

If minded to approve the application, an amendment to condition 3 in relation to the provision of appropriate access and facilities for disabled people was requested, with the proposed amendment being circulated for Members' consideration

Members commented on the following matters:

- whether any further comments had been received from Leeds Civic Trust and CABA
- the arena roof; that the images depicted this as being recessed, but the model indicated the roof was 'resting' on the top of the elevations and which view was correct
- the need for further information on the re-use of rainwater within the scheme
- the siting of the toilets and whether they would be located equidistantly around the auditorium
- the pepper potting of seats for people with disabilities throughout the auditorium and whether this would create difficulties in evacuating the building in the event of a fire
- uncertainty about the merits of views through to the stage when the seats were retracted
- whether the use of scenery would be required for some events and if so whether there was sufficient space to provide this
- concerns about the use of Oak trees which were not pollutant resistant
- that wildflower meadows needed appropriate maintenance to prevent them becoming overgrown and infested with weeds and whether these would fit in with what was a high quality landmark building
- the proposed pedestrian crossing at Clay Pit Lane and whether the design of this had been completed
- that the access from Woodhouse Lane Car Park should be on Providence Place with a pedestrian crossing in that location to prevent large numbers of people cutting through Queen Square
- the rear of the building; whether this would resemble a typical service yard; the possibility of improving this elevation and the lack of detailing on the side elevations and how this could be addressed
- the colouration of the acrylic cladding panels and that the use of black and grey was not appropriate

- the two development plots opposite the site; the current position on these and the need to ensure that any future development did not visually detract from the effect being created by the arena

Officers provided the following responses:

- that additional comments had not been received but that Leeds Civic Trust had raised concerns about the development plots adjacent to the site but this had been considered as part of the outline permission. CABE whilst being supportive of the landscape and the articulation of the scheme, had been critical of the lack of proposals for the two development plots
- that there was a 'lip' to the roof as shown on the graphics
- the rainwater would be collected in four tanks and would be used for flushing toilets and cleaning, as appropriate
- that there were toilets sited on each level and would be located in the Front of House area and at the main public entrance
- that there were regulations relating to fire and access for this type of building and that these had been complied with. The Head of Planning Services stated that regulations around fire exits were covered under Building Regulations legislation and the License and the time taken for people to evacuate a building was considered as part of that
- that views through to the stage from the atrium would not be a frequent occurrence and would depend upon the type of event being held
- that scenery would be used for some events and that there was sufficient room to provide this with the design of the building allowing vehicles direct access to the stage to assist in building and dismantling sets
- that further discussions could take place with the applicant regarding tree species
- that there would also be clipped lawn as part of the temporary landscape proposals and that the need for maintenance of the landscaping was covered by a condition attached to the outline permission
- that work was ongoing on the design for the Clay Pit Lane crossing and that it could be achieved without the need for guard rails. Discussions had also taken place with surrounding landowners and that issues relating to public realm and access were expected to be addressed in these discussions and that this could be reported back to Panel
- that the service area would be fully enclosed and that strong shadow lines on the side elevations would create visual interest but that much would depend upon the workmanship of this detailing
- that in terms of colouration, the overall hue of the acrylic cladding was likely to be pale green but working from darker shades to lighter shades up the building

The Chief Planning Officer informed Members that the two development plots were actively being marketed and it was hoped that these would be developed alongside the arena to prevent disruption from construction works once the arena had opened

Members welcomed the proposals

RESOLVED - That the application be granted subject to the conditions set out in Appendix 1 of the report, an amendment to condition 3 to read

'Unless otherwise agreed in writing by the Local Planning Authority, the following facilities shall be designed in accordance with British Standard BS8300:2009:

- a – the changing places toilet
- b – visual clarification of the glazed entrance doors
- c – the proposed free standing building column supports

Any dropped kerbs shall be designed in accordance with DETR guidance 'Guidance on the use of Tactile Paving Surfaces' unless otherwise agreed in writing by the Local Planning Authority

The above works shall be provided prior to first occupation of the Arena and shall be retained thereafter'.

Reason: In order to provide appropriate access and facilities for disabled people

and any other conditions which the Chief Planning Officer might consider appropriate

52 Application 10/03773/LA - Alterations and extensions Woodhouse Lane Multi Storey car park - LS2

Plans, drawings, photographs and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for improvements and maintenance works which were needed to increase the life of the building - which was built between 1968-1970 – by a further 25 years and to accommodate the vehicle and pedestrian movements associated with the arena. Appended to the report was a schedule of suggested conditions to be attached to an approval

Members were informed that the works would comprise:

- removal of the existing stair tower on the southern elevation and replaced by a larger access core incorporating stairs and two lifts
- a pedestrian bridge spanning from level 3 over the existing level 1 vehicular entry/egress point
- additional planting on the southern side of the bridge
- an extension to the external exit ramp on level 12 and closure of the level 8 exit
- replacement of the entry barrier system with a pay and display system
- 8 additional disabled car parking spaces and painting of pedestrian routes in the car park
- upgrading of the CCTV system

Additionally improved lighting and signage would be provided, although a separate application would be required for the external signs

Members commented on the following matters:

- the need to retain the fence on the roof of the car park
- that improvements were needed to the appearance of the tunnel entrance, with a mural being suggested which related to the arena. Similarly it was felt that the yellow tiles on the walls adjacent to the pedestrian access were dated and either needed to be replaced or

covered with suitable advert hoardings linked to events at the arena, in order to create a positive impression

- that the hours of opening of the car park had to relate to the timing of events
- whether the proposed improvements would mean that the car park would meet standards in terms of safety as seen in other, privately owned, city centre car parks
- the possibility of providing a lighting system above each bay to indicate where parking spaces were available
- the possibility of using the same colouration on the new tower as would be used on the arena
- the need for consistent signage with the arena
- the possibility of planting Virginia Creeper at the base to provide quick screening, colour and interest

Officers, including an Officer from the Asset Management Section provided the following responses:

- that the fence on the roof would be retained
- that improvements to the subway wall could be addressed by the separate highway scheme relating to the arena pedestrian routes
- that the opening hours would be in line with events at the arena
- that the improvements were to ensure the smooth movement of vehicles in and out as this was the car park which was expected to be the most used by people attending events at the arena. The introduction of a pay and display system would prevent the queuing associated with the barrier system and that discussions on the proposals had taken place with the police architectural liaison officer regarding safety aspects
- although a lighting system to indicate the availability of parking spaces was a good idea, the budget did not allow for this as it was not a core element, although it would be considered in the future

RESOLVED - That the application be granted subject to the conditions identified at Appendix 1 of the report and any others which the Chief Planning Officer might consider appropriate

53 Applications 09/03230/FU/ 09/03280/CA/0903397/LI - St Peter's Church and Church Buildings and Chantrell House Leeds Parish Church Kirkgate LS2

Further to minute 43 of the Plans Panel City Centre meeting held on 14th October 2010 when Panel approved the applications in principle, to consider a further report of the Chief Planning Officer providing information on detailed design issues previously raised by Members

Plans, drawings, photographs and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report and provided images showing the existing buildings and the proposed alterations

It was noted that the existing railings were not shown on the graphics and it was confirmed this was an omission on the images provided

Discussion ensued on the proposal to move the iron gateway with different views being expressed on the appropriateness of this

A request was made for an additional condition to be placed on the approval requiring the reinstatement of the lamp on top of the gateway arch

RESOLVED - To note the report, the comments now made and that an additional condition relating to the reinstatement of the lamp be included

54 Appeal Decisions - Various sites in and adjacent to Holbeck Urban Village - retention of unauthorised temporary long stay commuter car parking

A site plan showing the subject sites was displayed at the meeting

The Central Area Planning Manager presented a report of the Chief Planning Officer setting out the Inspector's decisions on appeals lodged against Enforcement Notices served by the Council in respect of unauthorised car parking around Holbeck Urban Village

The Inspector had concluded that long-stay car parking was not acceptable and was contrary to the Council's policies

Three of the appeals were dismissed, however in four cases the Inspector allowed short-stay car parking with conditions, with temporary consent given for a period of 18 months from the date of the Inspector's decision

Panel was informed that the decisions vindicated both the Council's stance on tackling the problem of unauthorised car parking and the Council's Transport Strategy and would help support the viability of more sustainable transport schemes

Members discussed the report and made the following comments:

- that it was important that conditions were followed up firmly and action taken on any other illegal sites
- that increased on-street car parking could result from the decisions, so creating a different problem elsewhere
- that a Park and Ride scheme was needed for the city centre and that the lack of one was affecting the viability of Leeds, particularly when it was being marketed as being a lively, vibrant city but that people were encouraged not to bring their cars
- the need to reduce the number of cars in the city centre but that an alternative mode of transport had to be provided and that in the absence of the NGT and Supertram, that the relevant Chief Officers be asked to investigate suitable Park and Ride schemes
- the number of parking spaces which were being provided across the subject sites
- that the problem of unauthorised car parking could continue, particularly on sites which had planning permission for a development but where building had not commenced

Officers provided the following responses:

- an acceptance of the need to remain vigilant but that the Inspector's decisions would support the Council in taking action quickly
- that the estimated capacity of the unauthorised car parking sites was 2500 spaces
- that there was significant capacity available in existing legal car parks
- surveys by some of the appellants showed that some people would revert to public transport
- it appeared that people were choosing to use the unauthorised car parks because they were cheaper

RESOLVED – To note the report and the comments now made

55 Date and time of next meetings

Thursday 9th December 2010 at 1.30pm

Wednesday 12th January 2011 at 1.30pm



Originator: C. Briggs

Tel: 0113 222 4409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 9 December 2010

Subject: ALF COOKE PRINTWORKS, HUNSLET ROAD, LEEDS LS10 1AR

07/07468/FU PLANNING APPLICATION FOR CHANGE OF USE INVOLVING REFURBISHMENT AND PART DEMOLITION OF PRINTING WORKS TO OFFICES AND ERECTION OF 12 OFFICE UNITS IN EIGHT 3 STOREY BLOCKS WITH ANCILLARY CAFE/RESTAURANT, CAR PARKING AND PUBLIC REALM

07/07469/LI LISTED BUILDING APPLICATION FOR CONVERSION TO OFFICES INCLUDING REFURBISHMENT AND PART DEMOLITION OF PRINTING WORKS

APPLICANT	DATE VALID	TARGET DATE
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Rushbond Group

7 January 2008

7 April 2008

Electoral Wards Affected:	Specific Implications For:
<input type="checkbox"/> No Ward Members consulted (referred to in report)	Equality and Diversity <input type="checkbox"/>
	Community Cohesion <input type="checkbox"/>
	Narrowing the Gap <input type="checkbox"/>

RECOMMENDATION:

07/07468/FU Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), following completing of a Section 106 Agreement to cover the following matters:

- Contribution to public transport improvements £137 453.20, split equally prior to commencement of Phases 2 & 3
- Travel plan implementation and monitoring fee £7140, split equally prior to commencement of Phases 2 & 3
- Public access throughout the site 7am-7pm Monday to Sunday in accordance with the phasing plan
- Employment and training opportunities for local people.
- Management fee £2400 payable within one month from the date of completion of the s106 agreement

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

07/07469/LI Defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate).

Conditions for 07/07468/FU

1. Time Limit (3 years)
2. Development in accordance with approved plans
3. Phasing
4. Samples of all external walling and roofing materials.
5. Construction of a sample panel of all external walling materials
6. Samples of all external surfacing materials
7. Detailed 1:20 scale working drawings shall be submitted including cross sections a) all doorways, b) all windows c) eaves and soffit detail and d) the external treatment and materials to any roof top plant rooms e) canopy to south eastern gable of print hall
8. Hard and/or soft landscaping scheme
9. Implementation of landscaping
10. Maintenance of landscaping scheme
11. Waste storage and disposal details, including recycling and details of security of and access to the bins.
12. No refuse containers to be stored outside the specified areas.
13. Details of installation and operation of air conditioning.
14. Details of a noise attenuation scheme
15. Contaminated land information
16. Amendment of remediation statement
17. Submission of verification reports
18. Oil interceptor
19. No building or other obstruction within 3 metres either side of a water main.
20. Details of works for dealing with surface water discharges from the development required.
21. No piped discharge of surface water from the development prior to completion of approved surface water drainage works.
22. Dust suppression measures during construction.
23. Means of preventing mud on the highway
24. Details of motorcycle parking
25. Details of long and short stay bicycle parking
26. Submission of detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM assessment to at least Very Good rating or equivalent
27. Programme of archaeological recording required
28. Details of public art
29. Implementation of off-site highways works
30. Maximum car parking provision (Highways Agency)
31. Car parking space designation (Highways Agency)
32. Implementation of flood risk assessment measures
33. Flooding emergency egress and evacuation
34. Tree pits
35. Details of gates and accesses
36. Areas to be used by vehicles to be laid out

37. Provision of shower facilities/lockers in Phases 2 & 3

The following are non standard conditions which can be found in full in the Appendix –

3, 7, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37

Conditions for 07/07469/LI

1. Time Limit (3 years)
2. Development in accordance with approved plans
3. Phasing
4. Samples of all external walling and roofing materials.
5. Construction of a sample panel of all external walling materials
6. Samples of all external surfacing materials
7. Detailed 1:20 scale working drawings shall be submitted including cross sections
1) all doorways, 2) all windows 3) eaves and soffit detail and 4) the external treatment and materials to any roof top plant rooms 5) canopy to south eastern gable of print hall
8. Hard and/or soft landscaping scheme
9. Implementation of landscaping
10. Maintenance of landscaping scheme
11. Programme of archaeological recording
12. Making good to match existing
13. Guttering/downpipe details
14. Building lighting
15. Details of repairs to brickwork and repointing
16. Details of any replacement windows – listed building
17. Junction of new raised ground floor and base of internal columns
18. Building cleaning
19. Details of new handrails to gallery balustrades
20. Tree pits

The following are non standard conditions which can be found in full in the Appendix –

3, 7, 17, 19, 20

Reason for approval 07/07468/FU:

The application is considered to comply with the policies GP5 GP7 BD6 A1 A4 N12 N13 N14 N15 N17 N25 N29 BD4 E14 ARC6 CC1 CC3 CC10 CC11 CC12 CC13 CC19 CC30 T2 T2D T5 T6 T7A LD1 of the UDP Review 2006, the Yorkshire and Humber Regional Spatial Strategy 2008, as well as supplementary planning guidance in SPD5 Public Transport Improvements and Developer Contributions, SPD Travel Plans, and the City Centre Urban Design Strategy, and national guidance contained within PPS1, PPS4, PPS5, PPG13, PPS25 and having regard to all other material considerations, as such the application is recommended for approval.

Reasons for approval 07/07469/LI:

The application is considered to comply with policies GP5 BD6 N12 N13 N14 N17 N15 ARC6 N29, the Yorkshire and Humber Regional Spatial Strategy 2008, and national guidance contained within PPS5 and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel as it is a significant major application involving the conversion and partial demolition of a Grade II listed building.

2.0 PROPOSAL:

- 2.1 The application proposal is for the retention of the two main print halls and the mill building, with conversion of these elements to offices, along with eight three storey office buildings, divided into 12 units, and 114 car parking spaces (including 15 disabled spaces). Total B1 office floorspace proposed would be 16138 square metres.

- 2.2 The development would be constructed over 3 phases:

Phase 1 would consist of:

- Retention of main print halls and ancillary offices, building 3, mill building and late Victorian single storey dispatch area – to be made weather-tight and secure – details of this to be provided by condition.
- Refurbishment of Buildings 3, 4 & 5 for ongoing commercial/industrial use (B2/B8)
- Demolition of Building 6 (late 20th Century warehouse)
- Demolition of Building 2(b) (1920s/1950s north-lit warehouse)

Phase 2 would consist of:

- New build blocks A, C, D and G including laying out of permanent landscaping to half of site, including main green square measuring in total 65m x 34m (with 50m x 20m raised grass area), and laying out of temporary green landscaping to plot of Building E.
- Laying out of 55 car parking spaces
- Building 1 (print halls and mill building to be retained in light industrial/warehouse use with ancillary offices)

Phase 3 would consist of:

- Refurbishment of the mill building and print halls include raising the floor level to accommodate the requirements of the flood risk assessment.
- Victorian dispatch areas 2(a), Building 4 and 1950s print hall extension to Hunslet Road would be demolished
- Erection of Buildings E, H, I, J1, J2, K1, K2 and L including all car parking and landscaping, and improvements to Neal Place.
- Laying out of remainder of 59 car parking spaces.

The retained print halls and mill building would be subject to the following repairs and alterations as part of refurbishment works:

- Phase 1 essential repairs to Print Halls including re-pointing to walls, removal of paintwork, damp proofing, cleaning, new rainwater goods, glazing.
- Phase 3 raised floor level to comply with flood risk assessment to raise floor from 25.45m AOD to 25.70m AOD, and addition of upstand to perimeter of buildings to protect to flood level of 26.15m AOD.
- removal of office partition layout
- insertion of new internal partition arrangement
- new canopy to flank facing Building L
- glazed curtain walling to ground floor frontage facing grassed square
- retention of clock and retention of water tower as focal points

The focal point of the development would be the retained print halls and mill building. It is proposed to use this building as the back drop to a green landscaped pedestrian space. This space would be enclosed by a series of modern 3 storey office buildings, with pedestrian linkages across the site. Car parking would be located to the rear of the mill building within hard landscaped space. Vehicular access would be via the existing access off Hunslet Lane, and via a relocated access off Leathley Road. A further row of 3 storey office buildings would be located behind, with further car parking set within landscaping. Pedestrian access through the site is detailed with a large greened hard and soft landscaped area being provided between the existing building and blocks D, G, H and I.

Some of the new buildings would be constructed in red brick, some in a blue brick, with deep window reveals and glazed curtain walling to stair cores. Each block has a slight variance to its window pattern. Building C features a glazed roof detail replicating a north-lit shed, echoing current buildings on the site. The elevational rhythm of the new blocks sited closest (K1 K2 and L) to the retained buildings would feature an interpretation of the original window patterns.

1:50 and 1:20 typical bays and sections have been submitted for each building to establish the detailing of the elevations

Surfacing consists of a variety of materials, with granite setts immediately around the listed building, block paving to the vehicular routes, conservation tegula paving to main footways, and raised grassed areas. Car parking spaces would be tarmac, demarcated by block paving setts.

Soft landscaping would consist of Hornbeam trees planted at regular intervals throughout the site, with clipped box hedging and raised grass areas edged with granite facings.

The history of the building would be reflected in public art throughout the site, based upon a folded paper motif, including a lightweight steel structure being sited close to the Hunslet Road frontage.

A number of documents have been submitted in support of this proposal:

- Planning Statement
- Heritage Statement
- Supplementary Heritage (PPS5) Statement
- Design and Access Statement
- Sustainability Statement
- Transport Assessment
- Flood Risk Assessment
- PPS25 Sequential Test Assessment
- Drainage Statement
- Noise Survey
- Ventilation Strategy
- Phase 1 Land Contamination Report
- Travel Plan
- Archaeological Assessment

3.0 SITE AND SURROUNDINGS:

- 3.1 The 1.95 hectare application site is unallocated within the designated City Centre. It lies on the south western side of Hunslet Road, at its junction with Leathley Road.

The site is bounded to the south west by an overgrown public footpath Neal Place, beyond which is the Scala Court business park, consisting of single storey red-brick warehouse units. The southern boundary is marked by a 4m high detailed engineering brick wall to Leathley Road, facing the Costco wholesale warehouse to the south of the site. To the north lies the cleared former Yorkshire Chemicals site, and beyond that, the Tetley Brewery site. Part of this area to the north lies within the draft South Bank Planning Statement and Aire Valley Urban Eco-Settlement proposals. To the east lies a car showroom, and beyond that lies Clarence Dock and the River Aire.

- 3.2 The Grade II Listed printworks complex is currently vacant, and consists of a principal 3 storey red-brick building with terracotta and stone dressings with a slate roof. The corner of the building facing the junction of Black Bull Street and Hunslet Road features a clock tower, which is an important local landmark and visual focal point within Leeds City Centre. There is Yorkstone paving to the Hunslet Road frontage. Surfacing to the loading yard is a mixture of tarmac and concrete surfaces.
- 3.3 The main print hall Hunslet Road elevation features repetitive alternate bays of segmental headed windows and projecting bays with pedimented gable canopies over small semi-circular headed windows at ground floor. At first floor the windows feature elliptical arches alternating in stone and brick, and at second floor two-light headed windows with columns in between. The other elevations of the main print hall building retain the same proportions but are less ornate.
- 3.4 The interior of the two main print halls are open, with spiral staircases leading up to cast iron-balustraded landings around each space. Cast iron columns support these mezzanine floors, which are connected by the spiral staircases. Immediately behind the main print halls is a red-brick four storey mill building, which is much less ornate than the main print halls. This features a water tower and chimney dating from circa 1894. Adjacent to the Mill Building is a single storey dispatch area, of a similar age. This consists of the first 4 bays of a double pitched roofed building, with symmetrical timber roof trusses supported by round cast iron columns. The outer walls of the dispatch area were demolished to form later additions.
- 3.5 Later Twentieth Century additions include a c1920s large north-lit warehouse structure supported on steel I-beams, extending out to the south from the dispatch area, a 1950s concrete extension to the Hunslet Road frontage, and along the boundary to Leathley Road, and more recent late 20th Century warehouse buildings along the western boundary.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 None

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions have been on-going since early 2007. Pre-application presentation to Members by the developer and architect at Plans Panel (City Centre) 16 August 2007 and the following comments minuted, and subsequently agreed on 13 September 2007 :
- (a) the respectful and complimentary nature of the scheme;
 - (b) whether wider pavements could be created on Hunslet Road to encourage pedestrians along this route into the City Centre;

- (c) the need for pedestrian connectivity around the site and the possibility of creating links into the wider area
- (d) how blocks A to L would work and the need for officers to consider the layout and massing, particularly blocks D to G and H and I which mirrored the length of the existing building; concern at some elements of the replication of the existing mill building fenestration;
- (e) that the new buildings should possibly be more ornate and include details such as copings or parapets;
- (f) that a site visit should be made the next time the proposals are considered.

5.2 Full planning and listed building consent applications were submitted in November 2007 and validated January 2008. Further information was requested by officers on a number of matters in March 2008. Application progress was held up by a Highways Agency Article 14 Direction on 1 May 2008 thus preventing the Local Authority from making a decision, and subsequently lifted on 23 March 2009. Discussions with officers, and subsequent revisions to the scheme continued to evolve regarding off-site highways works, public transport contribution, layout, detailed new building design, landscaping, internal layout of listed building conversion and phasing of demolition until November 2010.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Application publicity consisted of:

- (a) Site Notice 07/07468/FU Notice of Proposed Major Development posted 11 January 2008, expired 1 February 2008.
- (b) Site Notice 07/07468/FU Notice of Proposed Major Development posted 16 April 2010, expired 7 May 2010
- (c) Site Notice 07/07469/LI Notice of application for Listed Building Consent posted 11 January 2008, expired 1 February 2008.
- (d) Site Notice 07/07469/LI Notice of application for Listed Building Consent posted 16 April 2010, expired 7 May 2010.
- (e) Press Notice 07/07468/FU Notice of Major Development published 17 January 2008, expired 7 February 2008.
- (f) Press Notice 07/07468/FU Notice of Major Development published 29 April 2010, expired 20 May 2010
- (g) Press Notice 07/07469/LI Notice of application for Listed Building Consent published 17 January 2008, expired 7 February 2008.
- (h) Press Notice 07/07469/LI Notice of application for Listed Building Consent published 29 April 2010, expired 20 May 2010

6.2 Letter from Leeds Civic Trust, dated 18 March 2008.

Expression of support to the principles of the development, and the creation of a significant soft 'public' green space. However, they had concerns regarding:

- (a) the new brick buildings, which they considered were austere and flat, and needed to be finished to a far higher standard than most new build brick buildings in the City. Choice of brick very important; *Response: The scheme has been revised, to include variety in brickwork, depth of window reveal, and changes in window patterning. Quality of detailing would be conditioned through detailed sections and material sample panels including mortar details.*
- (b) concern that small windows with deep reveals may increase the requirement for artificial lighting in the new build offices, which would not be in keeping with the developers stated sustainability aims; *Response: The scheme has been revised and the amount of glazing on the proposed new buildings has increased.*

- (c) there is potential for greater variety in the finishes in the new buildings, in order to lighten the appearance of the scheme, and mask imperfections in build quality; *Response: Scheme has been revised, there is now variety in treatment of buildings in design, window patterns and brick type.*
- (d) improvements to pedestrian connectivity in the area, particularly to the east, for example wide pedestrian crossings, more direct routes for pedestrians, longer pedestrian phases at lights, etc. *Response: There is a package of pedestrian improvements (set out in the Highways section of the Appraisal in this report) to be completed by the final phase of the development, including new pedestrian crossing facilities. Nearby planning permission 06/04601/OT at former Yorkshire Chemicals site, Black Bull Street also proposes improvements to achieve better pedestrian connectivity in the Hunslet Road area including upgrade of existing crossing at Hunslet Lane close to Butterley Street, 2 signalised crossings on Black Bull Street, zebra crossing on Chadwick Street, signalised crossing facilities at junction of Hunslet Lane and Crown Point Road.*

6.3 Letter from Leeds Civic Trust dated 9 October 2008.
 Expression of support – concern regarding public art being sited along Hunslet Road, obscuring detailing of the building; and suggestions regarding highways network in Hunslet Road area namely removing roadspace, removing “high-speed turnouts”, and simplifying routes for pedestrians and cycles. *Response: Public art would be subject to details to be submitted by condition. In principle it is considered that appropriate public art, inspired by the previous use of the building, would be acceptable and would enhance the setting of the listed building. It is considered that the application proposal, subject to improvements set out in the Highways section of the Appraisal, would be accessed satisfactorily on foot, cycle, motorcycle, private car and public transport.*

6.4 Letter from Leeds Civic Trust dated 15 December 2009.
 Expression of support – Leeds Civic Trust acknowledge the need for continuing temporary uses at the site, and welcome the delivery of the open grassed courtyard in an early phase or a temporary landscaping scheme until development comes forward. They also welcome the revisions to the scheme including reduction of internal works, and restoration of detailing to print hall balconies, and rainwater downpipes. *Response: The grassed courtyard would be delivered in Phase 2, along with temporary landscaping to the plot of Building E (to be delivered in Phase 3). The restoration of detailing to print hall balconies, and details of rainwater goods, would be conditioned.*

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

- (a) English Heritage (dated 15 November 2010) - no comment on this particular case, the application should be determined in accordance with national and local policy on the basis of local specialist advice. Leeds City Council Conservation team advised no objection subject to specified conditions regarding details of rainwater goods, lighting, treatment of surfaces following demolition/temporary landscaping; details of repairs to brickwork and repointing; and details of new handrails to gallery balustrades. Assessment of conservation issues is covered in the appraisal section of this report.

- (b) Highways Agency: No objection subject to specified conditions and travel plan measures.
- (c) Leeds City Council Highways Development Services: no objection subject to implementation of travel plan, provision of contribution to public transport infrastructure, improvements to local bus stops, cycle storage provision, motorcycle storage provision, off-site highways works including improvements to Hunslet Road and Leathley Road accesses and improved pedestrian crossing facilities at junction of Hunslet Road and Leathley Road.
- (d) Environment Agency: no objections subject to specified conditions.
- (e) Yorkshire Water: no objections subject to specified conditions.

7.2 Non-statutory:

- (a) West Yorkshire Archaeology Advisory Service (responses dated 1 February 2008; 29 October 2010; 23 November 2010) – no objection, the demolition of later additions can be justified on the grounds that those buildings are of lesser historical and architectural significance, although arguably they are contemporary with the main multi-storied buildings. A condition should be added to secure the implementation of an appropriate programme of archaeological investigation before works commence.
- (b) Leeds City Council Environmental Protection: No objection subject to conditions regarding mechanical plant installation.
- (c) Leeds City Council Land Drainage: No objection subject to conditions regarding permeable surfacing.
- (d) Leeds City Council Public Rights of Way: Neal Place may be considered to be a Public Right of Way, however the site lies within an area of Leeds unrecorded on the Definitive Map.
- (e) Victorian Society – Supports the revised scheme which proposes less intervention in the print halls, and would be more appropriate to the retained listed building.

8.0 PLANNING POLICIES:

8.1 Development Plan

Regional Spatial Strategy Yorkshire and the Humber 2008

Leeds Unitary Development Plan Review 2006

Relevant policies include:

GP5 all relevant planning considerations

GP7 planning obligations

BD6 all alterations

A1 improving access for all

A4 safety and security provision

N12 urban design

N13 design and new buildings

N14 listed buildings and preservation

N15 listed buildings and change of use

N17 listed buildings character and appearance
N25 boundary treatments
N29 archaeology
ARC6 archaeology
BD4 all mechanical plant
E14 office use in the City Centre
CC1 City Centre and planning obligations
CC3 City Centre character
CC10 public space and level of provision
CC11 streets and pedestrian corridors
CC12 public space and connectivity
CC13 public spaces and design criteria
CC19 office development
CC30 unallocated sites within the City Centre
T2 transport provision for development
T2D public transport provision for development
T5 pedestrian and cycle provision
T6 provision for the disabled
T7A cycle parking
LD1 landscaping

8.2 Relevant Supplementary Planning Guidance includes:

SPD5 Public Transport Improvements and Developer Contributions
SPD Travel Plans
City Centre Urban Design Strategy

8.3 National planning policy and guidance includes:

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPS5 Planning and the Historic Environment
PPG13 Transport
PPS25 Development and Flood Risk

9.0 MAIN ISSUES

1. Principle of use
2. Urban design
3. Impact of the proposal on the special character of the listed building
4. Highways
5. Flood risk
6. Sustainability
7. Section 106 Agreement

10.0 APPRAISAL

10.1 Principle of use

The application site lies within the designated City Centre, but is unallocated for any particular uses. Therefore UDP Policy CC30 states that proposals of this nature would be determined on their merits. Office use would therefore be acceptable in principle as identified by national policy in the form of PPS4 which seeks to concentrate office uses in town or city centres, and promote sustainable economic growth and employment. The proposal is also acceptable in principle under UDP Policies CC19 and E14, which seek to ensure that the City Centre is the principal location for prime office development. It is not considered that the proposed use would give rise to amenity concerns, and the office accommodation would be

subject to a condition to ensure noise from external sources does not cause nuisance to future employees. In terms of supporting uses to serve the office users, the site is located close to Crown Point Retail Park and Clarence Dock. There is also supporting retail/restaurant/bar/leisure/community facilities in planning permission 06/04601/OT former Yorkshire Chemicals site should that site be developed in the same timescale. It is therefore considered that the provision of a mix of uses is not necessary in this case.

10.2 **Impact of the proposal on the special character and interest of the listed building.**

In accordance with national policy PPS5, and Leeds UDP Review policies, there is a presumption in favour of the preservation of listed buildings. The submitted Heritage Assessment, and Supplementary Heritage Assessment, put forward an assessment of the nature, extent and importance of the significance of the heritage assets at the site. Detailed justification for demolition of various elements has been submitted in accordance with PPS5, setting out the nature of the interest and the significance of the interest, which has been assessed and agreed by the Council's specialist conservation and archaeology advisors.

The scheme results in a phased retention of buildings, with those of most merit and capable of viable conversion and enhancement being retained. The remainder of the site would be demolished in phases. In terms of assessing significance, the main print hall building is listed due to its special architectural interest, and would be retained and converted into offices, with its open atria and balconies restored. The original proposals included the infilling of the atria with glazed office pods, however this has now been removed from the scheme. The Mill Building would also be retained and refurbished as office accommodation, but is of secondary significance to the main print halls.

The single storey dispatch sheds 2(a) as labelled on the plans are of some importance, but lesser than the print halls and mill building, as they reflect the expansion of the works not long after its construction, their southern and eastern walls removed for later extension. At the greatest extent on 2(a) they consist of the first 4 bays of a double pitched roofed building, with symmetrical timber roof trusses supported by round cast iron columns. This was subsequently extended post-1920 with a north-lit warehouse structure supported on steel I-beam columns, identified on plan as building 2(b). It is considered that the demolition of the dispatch sheds is justified due to their lesser significance both historically and architecturally, their lack of options for viable conversion, poor state of repair, and because their removal would allow the delivery of public open space to the main entrance of the refurbished building, which would enhance its setting. The demolition also allows the coherent urban design of the site, and the connection between Building L and the print halls.

It is considered that the loss of the later 20th Century additions is acceptable. The Hunslet Road extension (Building 3), and buildings 2(b), 4, 5, and 6 are of little architectural and historical interest, and their demolition would enable the enhancements of the eventual comprehensive new build and landscaping scheme, the benefits of which would outweigh their loss. It is therefore considered that the proposed phased demolition would enhance the special character of the listed building.

In terms of the internal alterations to the print halls and the mill building, where possible, existing detailing and all features including internal features which contribute to the character of the listed building would be preserved and repaired.

The original plan form of the building would be preserved since it contributes to the special character and appearance of the building. It is considered that the original use of the listed building is unfortunately no longer viable (manufacturing), therefore proposals for its change of use and refurbishment are viewed favourably, given that the new and adapted use would not diminish the special architectural or historic value of the building and its setting.

10.3 **Urban design principles and the impact of the new buildings and public realm on the setting of the listed building.**

The objective of the proposed new buildings is to provide calm background buildings which would support and not compete visually with the prominent character of the listed print works. However they would provide quality and visual interest in terms of their form, rhythm, materials, and appropriate modern detailing.

It is considered that high quality red brickwork and blue brickwork would be appropriate materials given the setting of the listed building, the quality of the brickwork can be controlled through material samples panels including mortar joints by condition. 1:50 and 1:20 typical bays and sections have been submitted for each building to establish the detailing of the elevations, and this would be reinforced at working drawing stage by conditions. All mechanical plant would be concealed within the envelope of the building, full details would be required by condition.

The useable public realm on the site would be approximately 20% of its site area. This would include the main grassed square, and the hard landscaped margins, plus the smaller green areas to Hunslet Road and adjacent to Buildings D & G. The site would be maintained as publicly accessible private land from Phase 2 via the Section 106 agreement from 7am-7pm, in order to tie in with office hours, to ensure adequate security and protection of the space outside office hours in this predominantly industrial/commercial area.

The proposed public space would form part of a potential new network of public spaces, linking together the Brewery site, the proposals for the former Yorkshire Chemicals site, and Clarence Dock. The site provides enhanced connectivity across the area, and the improvement and connection to Neal Place. This gives a new connection through the site, albeit linking into a stable commercial area where at present there are no proposals for new developments or new connections, however this may not always be the case in future.

The boundaries of the site would be designed in a positive manner appropriate to the character of the area and the character of paving materials would accord with the character of the listed building, with the use of high quality natural paving immediately around it. Exact details of hard and soft landscaping, including samples of surfacing materials, and details of achieving level access onto the main grassed area would be controlled by condition prior to commencement of each phase of development to ensure continuity of high quality materials across the site.

The pedestrianised spaces within the development would be attractive and enhance the setting of the listed building, and support daytime activity, in particular lunchtime use. It is considered that the scheme would retain and reinforce the identity and distinctive character of this building, city centre, and would upgrade physical environment to complement needs of activities essential to identity vitality and function of the city centre. The proposal would upgrade the physical environment and to create a place that is sympathetic to the historic character of the listed

building, complementary in scale and materials, with a modern contrast in detailing.

Alf Cookes Printworks is a very important building in terms of local identity, distinctiveness and legibility. It is one of Leeds best known buildings of the past, and this scheme would enable public access and appreciation alongside new buildings and public realm

It is therefore considered that the proposed new buildings and public realm would enhance and complement the setting of the listed building and the surrounding area.

10.4 **Highways**

The site lies within the Fringe parking area, and the 114 space parking provision proposed is under the UDP maximum parking for the site. However the site lies within the City Centre in an accessible location, well served by public transport, and supported by travel plan measures.

Measures provided at planning application stage :

- Travel Plan sets out information on measures and relevant contacts for promotion of more sustainable travel patterns including accessibility by walking, cycling, motorcycles, public transport, car club, work-based pool cars, private car share.
- Shower facilities and lockers in each block
- Appropriate secure storage for cyclists and motorcyclists
- Improvements to local pedestrian connectivity through improved crossing facilities on Hunslet Lane and improvements to Neal Place
- Improvements to two bus stops on Hunslet Lane including shelters with real-time display
- Strategic public transport contribution

Ongoing Travel Plan measures to be monitored via the Section 106 Agreement from start of Phase 2 include:

- Appointment of a travel plan coordinator for each business on the site within 1 month of occupation
- Provision of travel to work survey for each unit within 3 months of occupation
- Setting of targets for businesses for modal split and specific initiatives set out in order to meet those targets
- Submission of individual travel plans including setting out the above matters in accordance with the Travel Plans SPD within 6 months of occupation
- Review of Travel Plan annually
- Overall target of reducing single occupancy car journeys to 30% of total morning and evening peak journeys to work.

The applicant is to provide new pedestrian crossing facilities on Hunslet Lane, to facilitate better connections to Clarence Dock and the riverside, and would re-open and improve the pedestrian route along Neal Place, to enable future connectivity to the southeast/southwest.

In order to achieve safe access to the site, conditions regarding reconfiguration of the accesses to Hunslet Road, prior to occupation of Phase 2 and Leathley Road, prior to occupation of Phase 3, would be applied.

It is considered that the proposed development would be served adequately by existing highways or improvements to the highways network which are funded by the developer via planning conditions or planning obligations, and would not create or materially add to problems of safety, environment or efficiency on the highway

network. The development would be adequately served by public transport and would provide for enhancements to the strategic public transport network, improve two local bus stops on Hunslet Lane, as well as provide improvements to local pedestrian routes where required to achieve appropriate levels of accessibility. The development would also provide and encourage safe and secure cycle and motorcycle usage/storage, and an adequate level of car parking.

10.5 **Flood Risk**

The Local Planning Authority is satisfied that the Sequential Test for the above planning application has been undertaken in a transparent and open way, in full accordance with Planning Policy Statement 25 and its Practice Guide, and has been passed. It is considered that as the site is a listed building, the scheme cannot be replicated elsewhere in a lower risk zone. The proposed development is for a use which is classed as 'less vulnerable' under PPS25 and is therefore appropriate in Flood Zone 3A. The scheme will result in a reduction in the built area and provide more space for storage of flood water. It is an appropriate use for the City Centre, and one which under PPS4 should not be located outside a designated centre, and one which would secure the viable use of a vacant listed building.

10.6 **Sustainability**

New buildings should be designed to maximise opportunities to conserve energy and water resources and use materials appropriate to these aims, and should ensure satisfactory penetration of daylight and sunlight. The new build elements will meet BREEAM Very Good rating, and a planning condition to provide details of the verification of this will be applied. In terms of sustainable drainage, permeable surfacing will be required by condition. In relation to the concern of Leeds Civic Trust that deep window reveals may compromise the sustainability credentials of the development, it is considered that shallow reveals may lead to a poorer appearance, and lessen the quality of the design.

10.7 **Section 106 Agreement**

A Section 106 Agreement would be signed in connection with the planning application, with the following obligations:

- (a) public realm delivery and access through the site in accordance with the relevant phasing plan, would be secured via the Section 106 agreement;
- (c) a public transport contribution of £137 453.20 is required by SPD5 taking into account discounts for existing trip levels, other infrastructure provisions and that the development involves the retention and refurbishment of a listed building. This would be split with £68 726.60 payable prior to commencement of Phase 2, and £68 726.60 payable prior to commencement of Phase 3 ;
- (d) a travel plan monitoring fee of £7140 would be required by Section 106 agreement, split £3570 prior to commencement of Phase 2, £3570 prior to commencement of Phase 3.
- (e) cooperation with local jobs and skills training initiatives would be expected through the provisions of a Section 106 clause.

As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This came in to force on 6 April 2010 and requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

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

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

As listed above (and also in the 'recommendation' box at the beginning of this report), there are matters to be covered by a Section 106 agreement. These matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

11.0 CONCLUSION

- 11.1 It is considered that the submitted listed building consent and full planning applications would result in the re-use of a brownfield site, the provision of new employment in the City Centre, the concentration of a major town centre use in a sustainable location, the sensitive re-use of a listed building and the provision of new public open space. It is therefore considered that the proposal would contribute positively to the enhancement and regeneration of the surrounding area.

Background Papers:

Application files 07/07468/FU & 07/07469/LI

Certificate of Ownership A signed by applicants

Appendix 1

07/07468/FU

- 3) Unless otherwise agreed in writing by the Local Planning Authority, no works of demolition, or alteration to the interior or exterior of the building, shall take place other than in complete accordance with a programme of demolition and redevelopment identified on Seven Architecture drawing refs. 060127-111 Revision E, 060127-12 Revision E, and 060127-113 Revision D.
- (a) In phase 1, prior to the demolition of Building 2b, details for the temporary treatment of the exposed elevation to Building 2a shall be submitted to and approved in writing by the Local Planning Authority, and implemented upon completion of demolition, unless otherwise agreed in writing.
 - (b) In phase 2, no demolition works to Building 2b shall take place until a contract for the implementation of the new public square and the works to the ground floor treatment of Building 1 shown on Seven Architecture Drawing Ref. 060127-232. These works shall be completed within 3 months of first occupation of the first new office building.
 - (c) Details for each relevant condition below shall then be submitted in accordance with the phasing schedule unless otherwise agreed in writing by the Local Planning Authority. Any subsequent changes to the phasing schedule shall be submitted in writing to and approved by the Local Planning Authority. The scheme shall be built out in accordance with the approved phasing plan.

In order to accord with the provisions of the Leeds Unitary Development Plan Review 2006, in the interests of visual amenity, the special character of the listed building, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 7) No building operations shall take place within a phase until typical 1:20/1:50 details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) all doorways
 - b) all windows
 - c) eaves and soffit detail
 - d) the external treatment and materials to any roof top plant rooms
 - e) canopy to south eastern gable of print hall

Works shall be carried out in accordance with the details thereby approved, and retained as such thereafter.

In the interests of visual amenity, design quality and the setting of the listed building.

- 28) Prior to the commencement of development of a phase, details of the provision of public art within that phase shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details prior to the occupation of that phase, and retained as such thereafter.

In the interests of visual amenity and the special character of the listed building.

- 29) Prior to the commencement of development, arrangements for the implementation of highways works to the following areas as identified on approved Sandersons Associates drawing no. TBC shall be submitted to and approved in writing by the Local Planning Authority:
- a. provision of crossing to Hunslet Lane prior to first occupation of phase 3
 - b. provision of bus stop improvements to bus stops 11969 and 11971 on Hunslet Lane including real time information and raised kerbs, prior to first occupation of phase 2
 - c. works including provision of visibility splay onto Hunslet Road of 2.4m x 59m prior to occupation of phase 2
 - d. improvements to Neal Place linking Leathley Road to Butterley Street prior to occupation of phase 3

It is considered that all of the above works should be implemented prior to the relevant phase of the development is occupied and retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of pedestrian and vehicular safety.

- 30) The development hereby approved shall not exceed the total amounts of gross floor area / scale of development set out below, without prior approval in writing from the local planning authority after consultation with the Highways Agency:

19,550 sq m of Class B1 employment use with 147 car parking spaces,

(The Use Classes are those set out in the Town and Country Planning (use classes) Order 1987, or in any equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

In order to ensure that the level of development can be accommodated within the safe and efficient operation of the highway network.

- 31) The car parking spaces to be provided for the employees and visitors to the Class B1 development hereby approved shall be confined to those areas within the development specifically designated for such purpose.

In order to ensure a satisfactory form of development and to ensure that the number of morning peak arrivals does not exceed the level necessary to ensure safe operation of the highway network.

- 32) The development permitted by this development shall only be carried out in accordance with the approved flood risk assessment (FRA) project no. 1108 revision B and the following mitigation measures detailed within the FRA:
- (a) limiting the existing surface water run-off generated by up to and including the 1 in 100 year storm by 30% so that it will not increase the risk of flooding off-site;
 - (b) flood-proofing measures detailed in section 4.0 of the FRA in the proposed development;
 - (c) finished floor levels are set no lower than 600mm above 25.55m Ordnance Datum (AOD).

In order to prevent flooding by ensuring the satisfactory disposal of surface water from the site, and to reduce the impact of flooding on the proposed development and future occupants.

- 33) No development approved by this permission shall be commenced until a scheme for the provision of an emergency egress and evacuation arrangement has been submitted to and approved in writing by the Local Planning Authority.

To ensure a satisfactory contingency plan for emergency access is provided to the development.

- 34) The landscape details to be submitted in the landscape reserved matters or landscape conditions above shall provide full construction details of tree pits and raised planted areas to be provided over underground basement areas. These shall include:
- a) the depth and area of growing media;
 - b) specification of topsoils including additives and mulches;
 - c) tree grilles and guards and means of anchoring root balls;
 - d) passive irrigation including directed use of grey water / roofwater or surface water;
 - e) active irrigation, using mains water or filtered, re-cycled greywater, its application rate, distribution system and controls;
 - f) means of drainage;
 - g) local modification of the slab and structural column supports to the basement to support the additional loading.
 - h) dimension of tree pits and means of anchoring root balls

To ensure that the cultural requirements for viable landscape and / or tree establishment are integrated into the development scheme design and structure.

- 35) Details and management of the gated accesses onto Hunslet Road and Leathley Road for phase 3 of the proposals shall be submitted and approved in writing by the local planning authority before first construction, and implemented before first occupation of the development, and retained and maintained thereafter.

In the interests of pedestrian and vehicular safety

- 36) The access gates for both the Leathley Road and Hunslet Road for phase 1 and 2 of the proposals must be fully open for all opening times of all buildings on the site, unless other agreed in writing with the local planning authority. The access onto Leathley Road for phases 1 and 2 must be used only as a large vehicle delivery access and must be signed and marked appropriately.

In the interests of pedestrian and vehicular safety

- 37) Prior to the commencement of development of phases 2 and 3, details for the provision of shower facilities/lockers in each building for staff shall be submitted to and approved in writing by the Local Planning Authority. Facilities shall be provided prior to first occupation of each building and retained as such thereafter.

In the interests of the promotion of sustainable forms of travel.

- 3) Unless otherwise agreed in writing by the Local Planning Authority, no works of demolition, or alteration to the interior or exterior of the building, shall take place other than in complete accordance with a programme of demolition and redevelopment identified on Seven Architecture drawing refs. 060127-111 Revision E, 060127-12 Revision E, and 060127-113 Revision D.
- (a) In phase 1, prior to the demolition of Building 2b, details for the temporary treatment of the exposed elevation to Building 2a shall be submitted to and approved in writing by the Local Planning Authority, and implemented upon completion of demolition, unless otherwise agreed in writing.
 - (b) In phase 2, no demolition works to Building 2b shall take place until a contract for the implementation of the new public square and the works to the ground floor treatment of Building 1 shown on Seven Architecture Drawing Ref. 060127-232. These works shall be completed within 3 months of first occupation of the first new office building.
 - (c) Details for each relevant condition below shall then be submitted in accordance with the phasing schedule unless otherwise agreed in writing by the Local Planning Authority. Any subsequent changes to the phasing schedule shall be submitted in writing to and approved by the Local Planning Authority. The scheme shall be built out in accordance with the approved phasing plan.

In order to accord with the provisions of the Leeds Unitary Development Plan Review 2006, in the interests of visual amenity, the special character of the listed building, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 7) No building operations shall take place within a phase until typical 1:20/1:50 details of the following have been submitted to and approved in writing by the Local Planning Authority:
- a) all doorways
 - b) all windows
 - c) eaves and soffit detail
 - d) the external treatment and materials to any roof top plant rooms
 - e) canopy to south eastern gable of print hall

Works shall be carried out in accordance with the details thereby approved, and retained as such thereafter.

In the interests of visual amenity, design quality and the setting of the listed building.

- 17) Prior to the commencement of works for the refurbishment of Building 1, details of the treatment to the columns in relation to the raising of the floor level, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of the special character and historic interest of the listed building.

- 19) Prior to the commencement of works for the refurbishment of Building 1, details of the restoration works to the print hall balconies, railing and staircases, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details and retained as such thereafter.

In the interests of the special character and historic interest of the listed building.

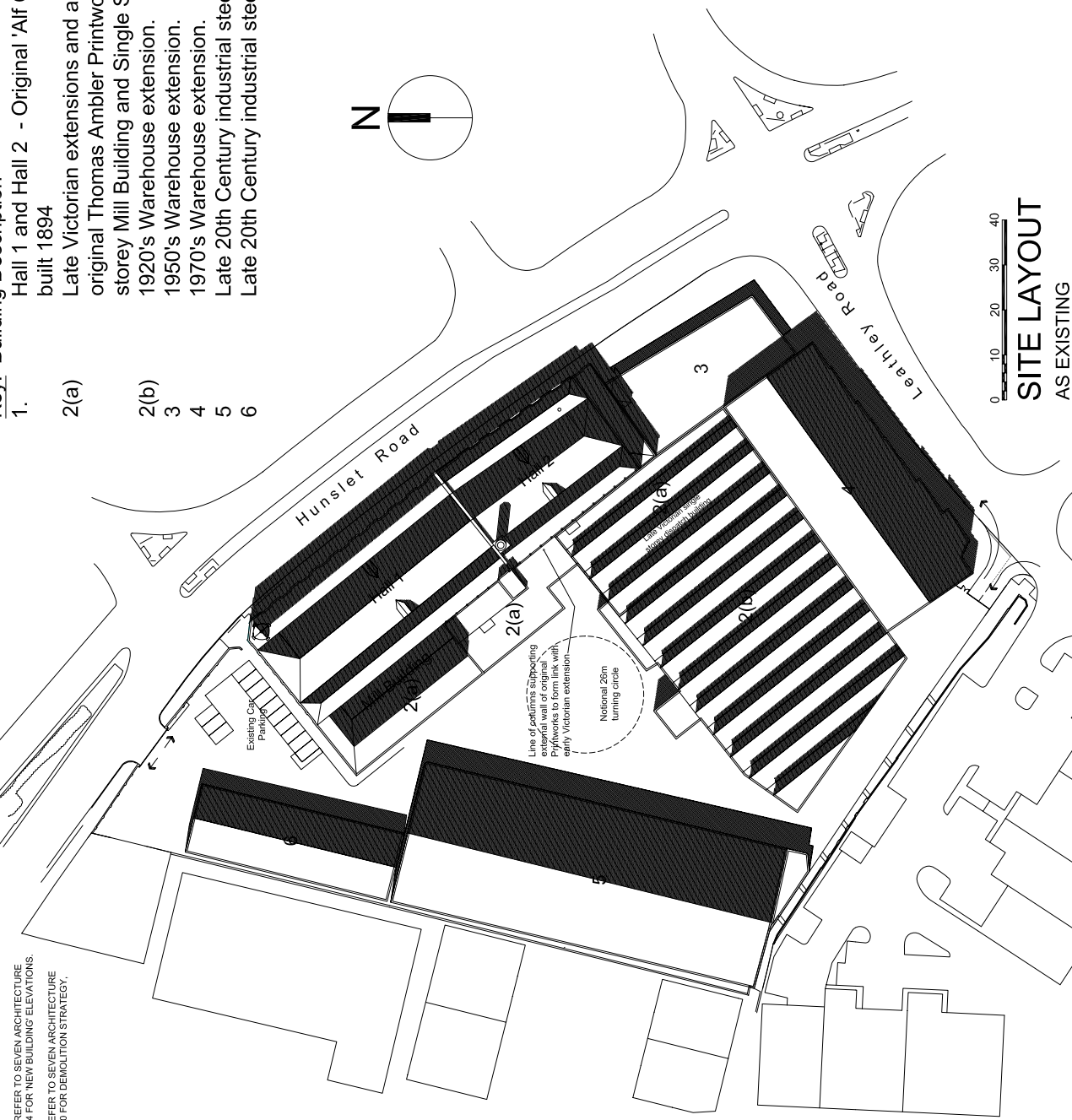
- 20) The landscape details to be submitted in the landscape reserved matters or landscape conditions above shall provide full construction details of tree pits and raised planted areas to be provided over underground basement areas. These shall include:
- a) the depth and area of growing media;
 - b) specification of topsoils including additives and mulches;
 - c) tree grilles and guards and means of anchoring root balls;
 - d) passive irrigation including directed use of grey water / roofwater or surface water;
 - e) active irrigation, using mains water or filtered, re-cycled greywater, its application rate, distribution system and controls;
 - f) means of drainage;
 - g) local modification of the slab and structural column supports to the basement to support the additional loading.
 - h) dimension of tree pits and means of anchoring root balls

To ensure that the cultural requirements for viable landscape and / or tree establishment are integrated into the development scheme design and structure.

1. DO NOT SCALE FROM THIS DRAWING - USE FIGURED DIMENSIONS ONLY
 2. THIS DRAWING IS VALID FOR ALL OTHER CONSULTANTS' SPECIALISTS DRAWINGS, RECORD DRAWINGS, PERMITS, ETC.
 3. ALL SETTING OUT DIMENSIONS TO BE CHECKED ON SITE BY CONTRACTOR BEFORE WORK COMMENCES

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT STRUCTURAL AND MECHANICAL + ELECTRICAL ENGINEER DRAWINGS AND SPECIFICATIONS
 FOR 'EXISTING HALL / MILL BUILDING' PLANS REFER TO SEVEN ARCHITECTURE DRAWING NO 06127_201-210 INCLUSIVE AND 211-216 FOR 'NEW BUILDING' PLANS
 FOR 'SITE SECTIONS' AS PROPOSED REFER TO SEVEN ARCHITECTURE DRAWING NO 06127_229 AND 230 FOR 'EXISTING BUILDING SECTIONS' AS PROPOSED
 FOR 'EXISTING HALL / MILL BUILDING' ELEVATIONS REFER TO SEVEN ARCHITECTURE DRAWING NO 06127_231-233 INCLUSIVE AND 235-244 FOR 'NEW BUILDING' ELEVATIONS
 FOR 'EXISTING BUILDING' SURVEY INFORMATION REFER TO SEVEN ARCHITECTURE DRAWING NO 06127_261-272 INCLUSIVE AND 265-269 FOR DEMOLITION STRATEGY, PLUS 110-113 FOR SITE PLAN DEMOLITION WORKS

- Key: Building Description**
- 1. Hall 1 and Hall 2 - Original 'Alf Cooke' Print Works building built 1894
 - 2(a) Late Victorian extensions and alterations undertaken to the original Thomas Ambler Printworks Building including the 4 storey Mill Building and Single Storey Dispatch Area
 - 2(b) 1920's Warehouse extension.
 - 3 1950's Warehouse extension.
 - 4 1970's Warehouse extension.
 - 5 Late 20th Century industrial steel framed storage building.
 - 6 Late 20th Century industrial steel framed storage building.



0 10 20 30 40
SITE LAYOUT
 AS EXISTING

NO.	DESCRIPTION	DATE	BY
A	31/03/07	AME	MJW
B	Red Line Boundary added for information purposes	AME	MJW
C	Technical drawing	AT	MJW
D	Further detail added to drawing	ADC	MJW

client	The Print Works (Leeds) LLP
project	The Print Works, Leeds
drawn site	Site Layout as Existing
drawing number	060127_110
revision	D
drawing status	Information
scale	1:500 @ A1
date	06/03/07
drawn by	CTJ
checked by	MJW

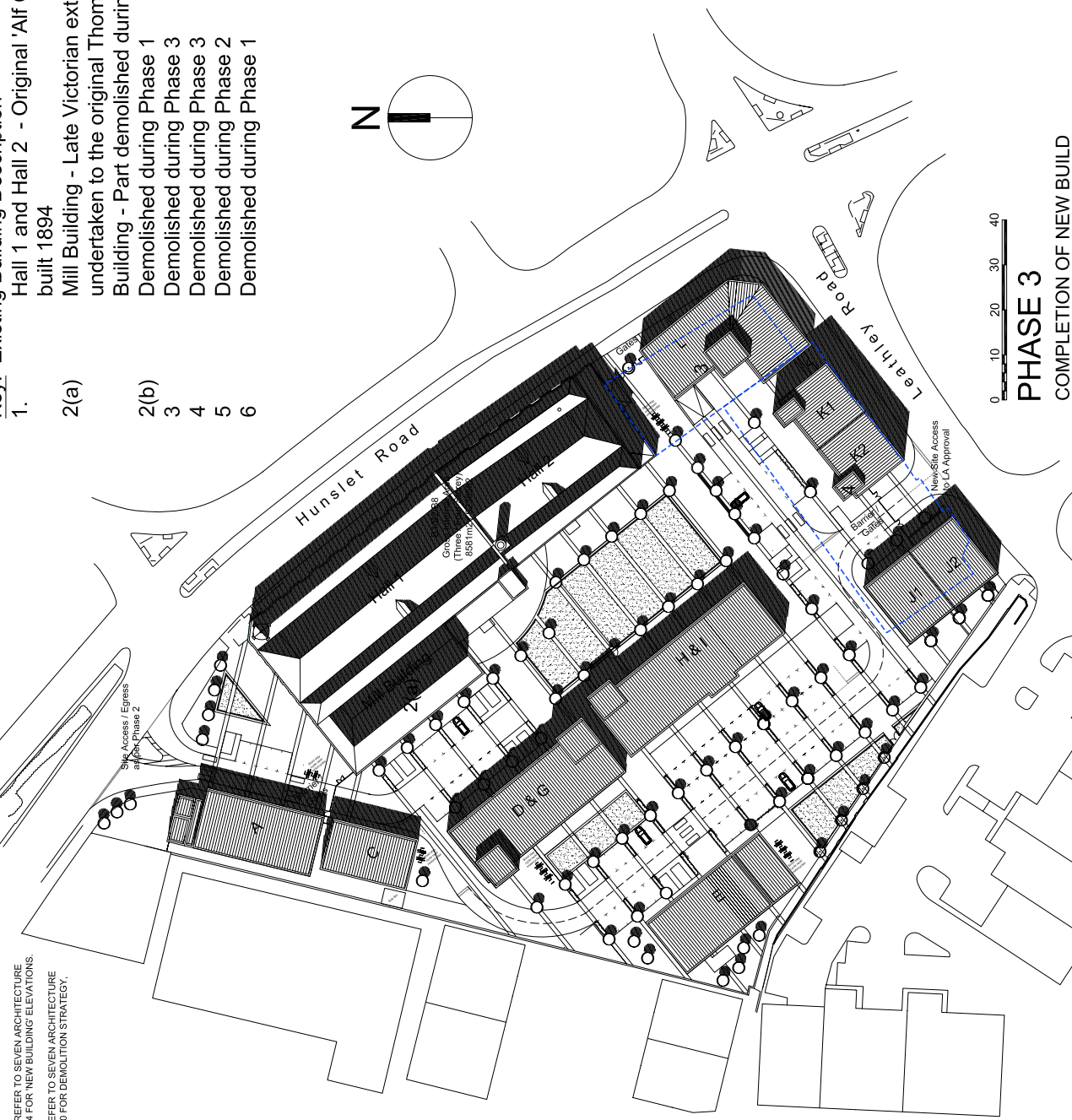
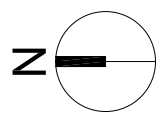
seven architects

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Key: Existing Building Description
1. Hall 1 and Hall 2 - Original 'Alf Cooke' Print Works building built 1894

- 2(a) Mill Building - Late Victorian extensions and alterations undertaken to the original Thomas Ambler Printworks Building - Part demolished during Phase 2**
- 2(b) Demolished during Phase 1**
- 3 Demolished during Phase 3**
- 4 Demolished during Phase 3**
- 5 Demolished during Phase 2**
- 6 Demolished during Phase 1**



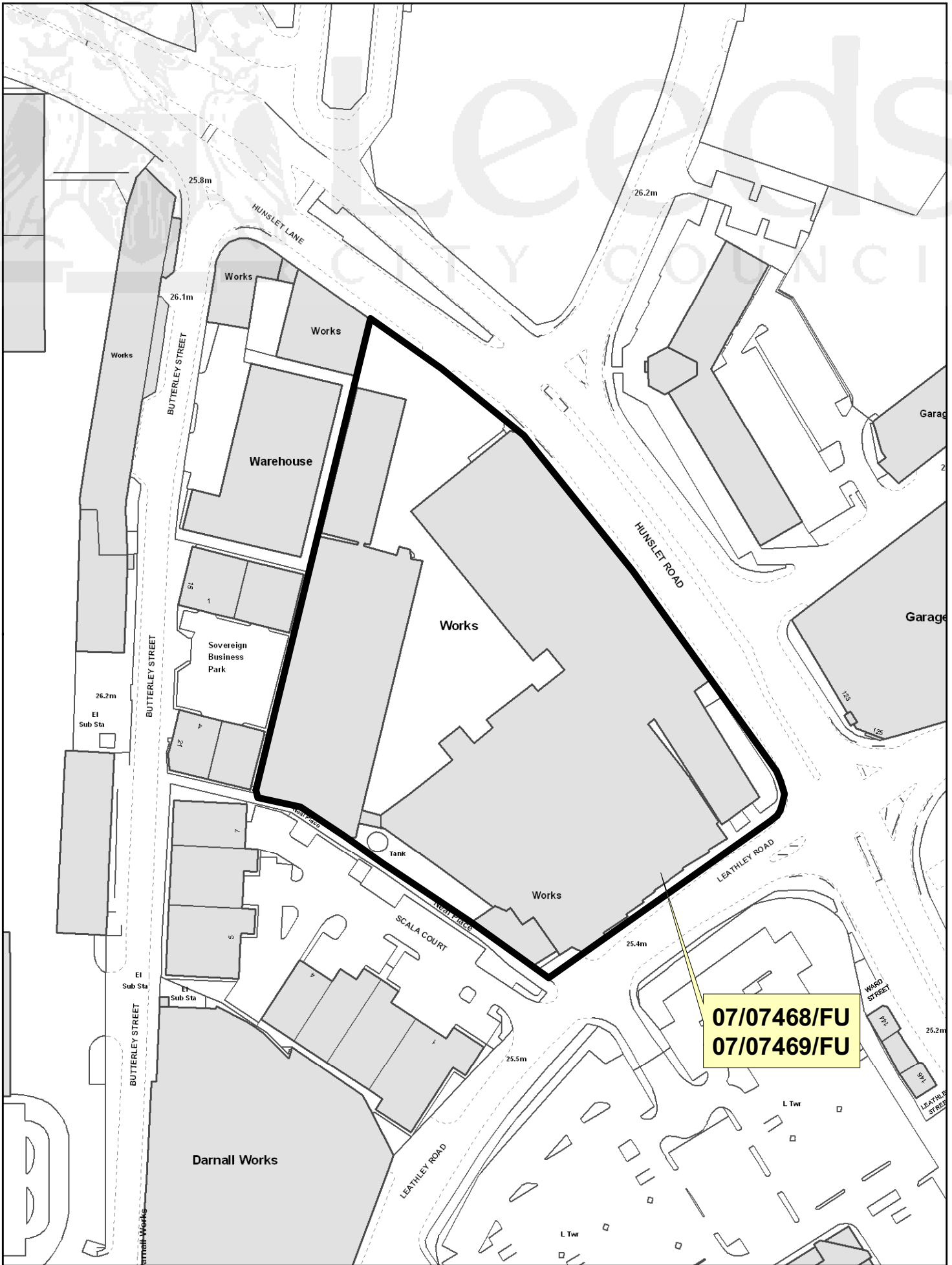
0 10 20 30 40
PHASE 3
 COMPLETION OF NEW BUILD

NO.	DESCRIPTION	DATE	BY
A	06/11/10	ADC	MJW
B	Phase 3 demolition work completed	ADC	ADC
C	Phase 3 site parking introduced in accordance with permission 06/12/11/10	ADC	MJW
D	Further detail added to drawing	AT	MJW
E	16/11/10	ADC	MJW
F	Updates in accordance with Phase 2 Draw	ADC	MJW

client	Rushford Plc
project	The Print Works, Leeds
drawing title	Phase 3 - Proposed Planning Strategy
drawing number	06/12/11_113
revision	D
drawing status	Information
author	L500@A1
date	10/09/09
drawn by	ADC
checked by	MJW

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CITY CENTRE PANEL

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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 9th December 2010

Subject: APPLICATION 10/04135/RM – RESERVED MATTERS APPLICATION FOR THE ERECTION OF ONE 8 STOREY OFFICE BUILDING WITH BASEMENT CAR PARK AND ROOFTOP PLANTROOM AT THE FORMER DONCASTER WORKS, WHITEHALL ROAD, LEEDS.

APPLICANT	DATE VALID	TARGET DATE
BAM Properties Ltd – Mr N Mort	7/10/10	6/1/11

Electoral Wards Affected:

City and Hunslet

No Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: APPROVE the application in principle and DEFER and DELEGATE final approval to the Chief Planning Officer subject to the conditions specified below.

1. Standard approved plans list.
2. Full details of all excrescences including the rooftop building maintenance unit.
3. All areas to be used by vehicles to be surfaced and drained prior to use.
4. The car parking areas must be completed and available prior to first use.
5. Full details of the management of the side access door.

Reasons for approval: The application is considered to comply with policies GP5, GP11, GP12, BD2, BD4, BD5, T2, T24, A4, SA9, SP8, CC9, N12, N13, and N17 of the UDP Review, as well as guidance contained within the City Centre Urban Design Strategy September 2000, Sustainable Development Design Guide 1998, PPS1, 'General Policies and Guidance', PPS4 'Planning for Sustainable Economic Growth', PPG13 'Transport', PPG15 Planning and the Historic Environment and, having regard to all other material considerations.

1.0 INTRODUCTION:

- 1.1 This application is brought to Panel as it is a major reserved matters application that forms part of a significant outline development (application reference 06/02880/OT) that was presented to Panel on 26/4/07 (and ultimately approved 7/9/07).
- 1.2 Application 06/02880/OT related to the development of the former Doncaster Monkbridge Works site on Whitehall Road for a major mixed use development of primarily offices and residential buildings up to 33 storeys in height, ancillary active/leisure uses and the associated parking and landscaping (including a pocket park between the river and canal).
- 1.3 The first phase of the office element, comprising an eight storey office building, and the pocket park has been constructed along with the access roads for all office phases.
- 2.0 PROPOSAL:**
- 2.1 Reserved matters consent is sought for the appearance and associated landscaping of an eight storey office building with basement car park and rooftop plantroom. The scale, layout of the whole site and the means of access were agreed at outline stage.
- 2.2 The building will provide 13,594m² (Gross Internal Area) of office space on eight levels. The northeast corner of the ground floor is identified as a flexible space that has the potential to operate as meeting rooms or a café/staff canteen, dependent upon the occupier.
- 2.3 The pedestrian entrance is under the double height porte cochere in the south west corner of the building. This entrance provides access to a double height reception area.
- 2.4 Approximately 80 parking spaces will be provided in the basement inclusive of 9 disabled spaces. The basement will also include motorcycle and cycle parking plus showers and lockers. The vehicular entrance to the basement is via the existing access ramp shared with the existing building (building 1, commercially known as No.1 Leeds).
- 2.5 With regards to appearance, the building reflects the design code agreed at outline stage and many of the characteristics of the existing office building as these two buildings are intended to act as a pair of pavilions of the same height, massing and character.
- 2.6 As a continuation of the language to building 1, the proposed building has a slim dark metal primary frame to all elevations.
- 2.7 The east elevation to the canal is identical to the respective elevation of building 1 with a recessed spandrel panel of local gritstone and silver metal brise soleil to provide solar shading. The south elevation facing the existing building uses the same gritstone and brise soleil to the projecting bays but the recessed element, that which would receive the most direct sunlight, incorporates grey terracotta battens cantilevered out from the glazing line that act as brise soleil.
- 2.8 The west elevation facing the access road copies the west elevation of the existing building as it continues with the grey primary frame but replaces the grit stone with

grey terracotta battens and uses grey metal panelling to the service core in the final bay of the building.

- 2.9 The north elevation adjacent to the viaduct uses the grey terracotta battens as the spandrel and has a mix of the battens and grey metal to the service core.
- 2.10 The roof top plantroom is located on the north half of the roof and will be clad with grey louvres as with the existing building.
- 2.11 All landscaping to the pocket park and building 1, plus some areas adjacent to the proposed building has been completed. The proposed hard landscaping will be a continuation of the existing York stone and tarmac and include both stepped and level access down to the canal edge. Raised granite planters will be formed in the courtyard area between buildings 1 and 2. Seven trees are lined between the building and viaduct and there will be a small cluster of three trees adjacent to the access road and basement access.
- 2.12 Whereas the layout of the whole site was agreed at outline stage, the reserved matters submission has slightly realigned the proposed building. There has been a clockwise realignment of the building that has resulted in the original splay to the building adjacent to viaduct being removed and the entire rear wall being 8m away from the viaduct rather than varying between 8-14m. The alignment change has also resulted in a slight reduction in the depth of the two projecting bays on the north elevation and the location of trees (as highlighted above).

3.0 SITE AND SURROUNDINGS:

- 3.1 The site is located to the southwest of the commercial core of the city centre, within the defined city centre boundary. The application site forms part of a much larger development site to either side of the disused viaduct and adjacent to the River Aire and Leeds Liverpool Canal. The application site is immediately adjacent to the grade II listed viaduct and canal. Within this larger site one office building has been constructed fronting Whitehall Road and landscaping works have been carried out around this building and on land between the canal and river. The access roads to all plots south of the viaduct have also been constructed. The existing building is unoccupied.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 06/02880/OT: Outline consent was granted on 10/9/07 (after a panel resolution on 26/4/07) for a major mixed use development that included five office buildings to the south of the viaduct, four residential towers to the north of the viaduct, a mix of leisure and retail uses within the viaduct arches and a pocket park on land between the canal and river. The principle of development plus the means of access, layout of the site and scale of the buildings were agreed. Standard conditions were added to this outline consent requiring materials, landscaping, contamination and detailed noise issues to be agreed. A condition was also added that requires a travel plan for each phase of development to be submitted prior to the commencement of works on that phase. A Section 106 agreement secured the public transport and other contributions plus the public access requirements. The first office building and the pocket park have been constructed but the residential development has not commenced and this part of the consent has expired.

4.2 06/05718/FU: At the same time as the outline application referenced above, full planning permission was granted for the first office building on the site. This building has been constructed but is not occupied.

4.3 08/03199/RM: Reserved matters were approved for the pocket park phase of the development on 27/10/08. The landscaping works on this parcel of land between the river and canal have been implemented and the park recently opened.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Officers commenced pre-application discussions on the proposed building in June of this year. Design meetings took place and there have been an exchange of correspondence regarding the proposals.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site notices were posted on 15/10/10 and an advert was placed in the Leeds weekly News on 28/10/10.

6.2 One general comment has been received from a resident of the nearby City Island development making reference to a mugging that took place within the pocket park. The letter requests CCTV and additional lighting within the park and to finish off its landscaping. *Response: Despite this issue being outside the scope of this reserved matters submission, a written response was given to which no further comment has been received. The response stated the following:*

'BAM (the contractor) have confirmed all lighting is working and comes on during the hours of darkness. They have also confirmed that the park is covered by the CCTV on City Island and the mugger was caught by the police having viewed this CCTV.

BAM have also confirmed their security guards will carry out checks of the park when opening and closing the gates (this does not currently take place as work to the gates will not be formally completed until later this week (wc 8/11/10)).

The issue of lighting was looked at in detail when the planning submission for the pocket park was submitted and the extent of illumination is considered appropriate for this location. The lights provide sufficient illumination of the footpath but without creating significant light pollution in this ecologically sensitive location.

I appreciate your concerns but hope you can appreciate there must be a balance between the amount of lighting and visual amenity and ecological sensitivities of the area. Whereas an unfortunate incident has taken place it is hoped this will not be repeated'.

7.0 CONSULTATIONS RESPONSES:

7.1 Non-statutory:

7.2 Highways: Amendments to the basement parking layout are required as some of the parking spaces are not accessible and/or block access to cycle parking. *Response: The necessary changes will be made and revised plans presented to Panel. Full details of the parking layout are also required by the standard condition attached to the outline consent.*

7.3 British Waterways: No objection.

7.4 Access: Amendments to the design of the disabled parking spaces are required and concern is raised regarding the provision of a revolving door with side access door as this can often create problems regarding disabled access. *Response: Amendments to the design of the disabled spaces are being sought, the Panel will receive a verbal update. A condition requiring final details of the management of the side access door will be added to ensure there are no adverse impacts.*

8.0 PLANNING POLICIES:

8.1 Development Plan

8.2 Regional Spatial Strategy: The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.

8.3 **Unitary Development Plan (Review 2006) (UDPR)**: The site has no overall UDPR designation. However, a small strip of the site adjacent to the canal is identified as needing some improvement to the pedestrian route/public space. Relevant UDPR policies are listed below:

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12 (Sustainable Design).

BD2: New buildings should complement and enhance existing skylines, vistas and landmarks.

BD4: Seeks to minimise impact of plant and machinery.

BD5: Seeks to ensure a satisfactory level of amenity for occupants and surroundings.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T24: Parking to reflect detailed UDP parking guidelines.

A4: Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.

SA9, SP8: Promote development of City Centre role and status.

N12: Fundamental priorities for urban form.

N13: requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

N17: Existing features of listed buildings should be retained, repaired or replaced if missing.

CC9: Enhancement of pedestrian routes.

Relevant Supplementary Planning Guidance

City Centre Urban Design Strategy September 2000: Seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections, develop a mixture of land uses, promote active frontages and promote sustainable development.

Sustainable Development Design Guide 1998: This SPG provides useful information for developers and designers in how the principles of sustainability

can be put into practice, it will eventually be replaced by the Sustainable Design and Construction SPD once adopted.

National Planning Guidance

PPS1 General Policies and Principles

PPS4 Planning for Sustainable Economic Growth

PPG13 Transport

PPS5 Planning for the Historic Environment

9.0 MAIN ISSUES

1. Compliance with the approved outline scheme.
2. Design and appearance.
3. Landscaping.

10.0 APPRAISAL

10.1 Compliance with the approved outline scheme

As highlighted in paragraph 2.12 above, there have been some minor amendments to the layout of this plot since the outline approval. The alignment of the building has been slightly rotated resulting in the building running parallel with the viaduct rather than splaying away. The proposed building is now 8m from the listed viaduct at the northwest corner due to the removal of the splay, the distance to the viaduct was previously 14m at this point. It is considered that the impact on the setting of the listed structure has not materially changed and is still acceptable. There has also been a reduction in the depth of the two bays on the northern elevation and a change in the location of the trees.

10.3 The scale and access are as per agreed at outline stage and the buildings form and design comply with the approved design code. The scope for an active unit is retained in the ground floor. However, this is no longer proposed to face toward the river but will face into the site and therefore closely relate to the other office buildings that formed part of the outline consent. This change to the potential location of the café is not considered to materially affect the planning issues considered at outline stage.

10.4 Having examined these changes in detail and sought legal advice it is considered that in the context of the overall masterplan, these changes are considered to be relatively minor and there are no material planning effects associated with the variation. Therefore the change is considered acceptable. The changes to the layout will be further highlighted at Panel with the aid of the approved and proposed plans.

10.5 Design and appearance

10.6 The design of the proposed building closely reflects the design of the existing office building, as intended at outline stage. The primary theme of the slim dark metal frame is evident on all elevations and the quality of materials, depth and interest to the modelled façade is repeated in the current proposal. Detailed section drawings and images of the existing building will be presented at Panel to highlight the quality in the form and detail of the building.

- 10.7 The elevation to the canal is identical to that of the existing building with horizontal gritstone spandrels and metal brise soleil and ensures the building sits comfortably on its own and as a pair with the existing building.
- 10.8 The south elevation also reflects the eastern elevations of the existing and proposed buildings with the exception of the recessed element where horizontal grey terracotta battens are introduced to provide solar shading. The projecting bays are more prominent therefore the repeated stone spandrel and brise soleil are strongly supported whilst the change in design and material is accepted to the recessed element as this is much less prominent, is in keeping with material and design found elsewhere on the building and provides significant sustainability benefits by reducing the direct sunlight into the southern elevation.
- 10.9 The west and north elevations replace the horizontal gritstone spandrel with a grey terracotta spandrel that matches that to the recessed element on the south elevation of this proposal and west elevation of the existing building. As with the existing building, this shift away from the grit stone is considered acceptable as it is a less prominent elevation that will, in time, be partially screened by adjacent office buildings approved under the outline application. As with the eastern elevation, the western elevation matches the respective elevation of the existing building and therefore allows the pair to sit comfortably adjacent to each other.
- 10.10 The metal cladding added to the service core in the western elevation and large elements of the northern elevation does introduce a more vertical emphasis to the elevations that noticeably changes the character of the building from having a horizontal emphasis to having more of a vertical emphasis. Whereas this did raise some issue with design officers it was accepted that there is a similar occurrence at the existing building and to attempt to change the form of the proposal could create a visual imbalance between the pair to the detriment of the overall character of the area. Due to these elements being toward the rear of the building with very little visual prominence this design approach is considered acceptable.
- 10.11 The two-storey porte cochere entrance will give the entrance to the building a clearly defined but subtle appearance that retains the character of the building whilst the roof top plantroom will be in a dark grey cladding as per the existing building.
- 10.12 The quality of the design principles and construction are evident in the existing building and the proposed building, the second of a pair, is considered to closely reflect the existing and will deliver another building of quality design in this important setting adjacent to the canal.
- 10.13 Landscaping
- 10.14 The hard landscaping will match that laid for the first phase office building in both its type and respective location. York stone will be used for the surfacing material to the shared courtyard with building 1 and that immediately adjacent to the elevations facing the canal and viaduct. Footpaths adjacent to the access road/western elevation and to the rear of the building adjacent to the viaduct will be in tarmac. As can be seen on site, these are both appropriate materials and the York stone provides an attractive setting for the building. Both stepped and level access is provided down to the canal.
- 10.15 Following a query from the Conservation Officer, the architect has confirmed the levels around the viaduct remain as existing.

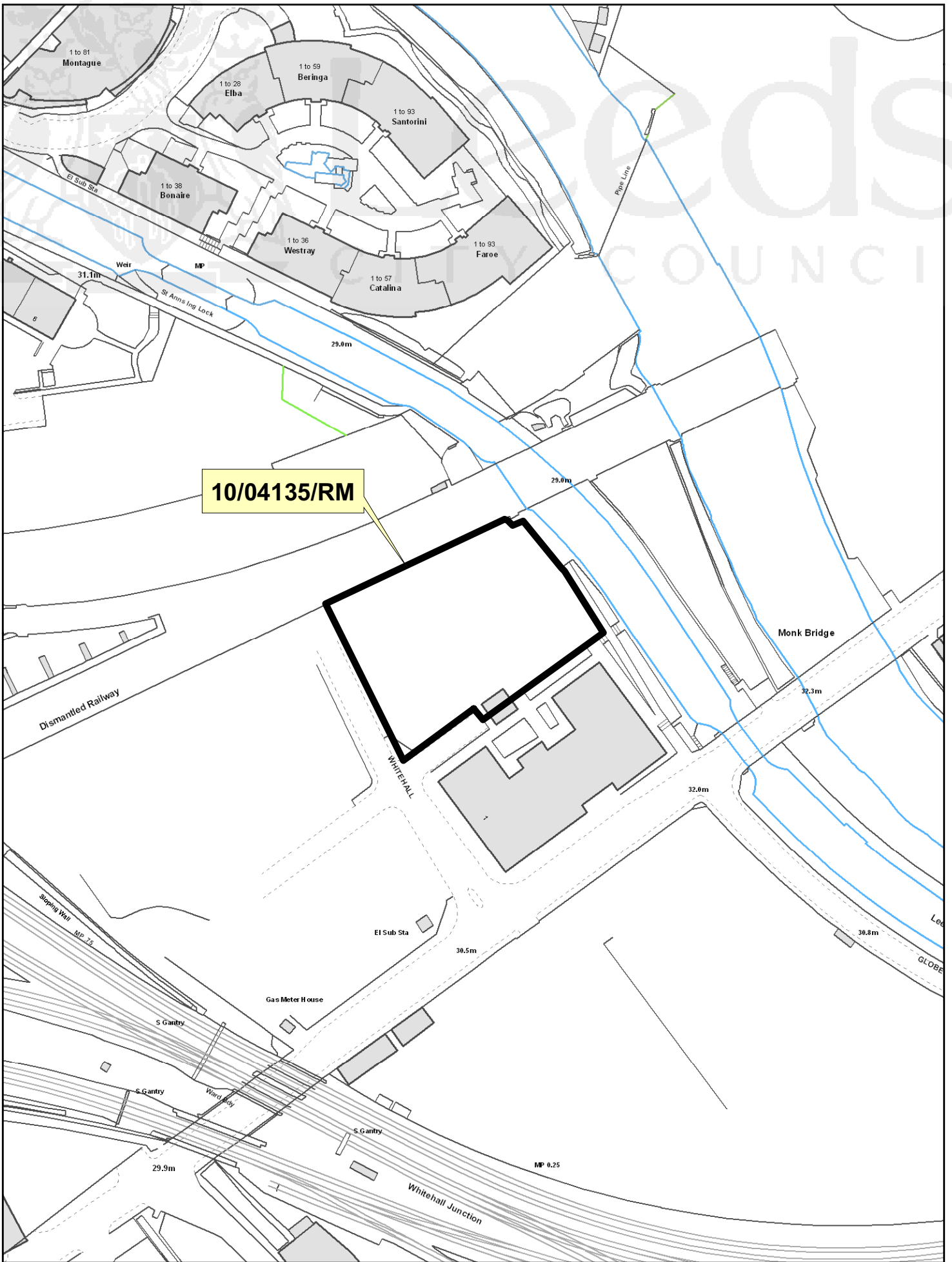
- 10.16 Two trees have already been planted in the planting bed adjacent to the canal and the proposed building in addition to the significant number of trees and soft landscaping introduced around building 1 and within the pocket park. The species introduced to date include lime, alder, ash and some willow. A further ten trees are proposed adjacent to the proposed building. Seven trees will be placed in a line between the building and the viaduct to define the walkway adjacent to the viaduct with a further three trees placed in a cluster between building 1 and 2. Soft planting is placed within two raised granite planters between the existing and proposed buildings (one planter is already partially built).
- 10.17 The courtyard area between buildings 1 and 2 will also include casual seating. Lighting has already been introduced adjacent to the canal to a level that will not affect roosting bats. Further pole mounted lights plus uplighters and/or downlighters will be added in keeping with those currently in place at building 1.
- 10.18 Full details of the tree species and tree pit details, shrub planting and all seating and lighting will be required by the standard landscaping condition added to the outline consent. It is considered further lime trees would be appropriate for the line of trees adjacent to the viaduct and a group of flowering cherry or silver birch adjacent to the entrance. The Landscape Officer considers that the proposed landscaping follows the scope of work agreed at outline stage and is supportive of the proposals.
- 10.19 The Landscape Officer makes queries relating to the pocket park, viaduct and remaining development sites that are outside of the scope of this application and therefore cannot be addressed by this application. However, it can be confirmed that the pocket park is now open and managed by the security guard at building 1. Temporary works to the viaduct arches (intended as active units in the outline approval) are also outside the scope of this application and are not in the applicant's ownership.

11.0 CONCLUSION

- 11.1 This reserved matters application is an important part of a phased development that has already delivered one office building and a pocket park and will deliver a further three office buildings at this site in due course. The proposed office building accords with the principles of the outline consent and, as intended, closely reflects the design and character of the existing building and landscaping works at the site. The proposal will create a pair of attractive buildings, improve access to the canalside and significantly improve the setting of the canal whilst preserving the character and setting of the listed viaduct.

Background Papers:

Application file 10/04135/FU and history file 06/02880/OT.



CITY CENTRE PANEL

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Originator: N Fleming

Tel: 0113 2224409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 9 DECEMBER 2010

Subject: APPEAL AND APPLICATION FOR COSTS DECISION – FOR RETROSPECTIVE APPLICATION FOR ALTERATIONS TO FORM BED-SIT FLAT TO LEVEL 14 STAIRWELL TO RESIDENTIAL BLOCK AT WEST POINT, WELLINGTON STREET, LEEDS, LS1 4JY

Electoral Wards Affected:

City & Hunslet

No Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: Members to Note the Appeal Decision

1.0 INTRODUCTION

- 1.1 Appeal against the refusal of retrospective planning permission for a bed-sit flat at Level 14 Stairwell of Block C, West Point, Wellington Street, Leeds, LS1 4JY
- 1.2 Planning permission was refused under delegated powers on 6 April 2010 for the following reason:

“The Local Planning Authority considers that due to the limited internal floorspace and nature of the unit, that the completed development is an over-development of previously void space above the lift core of Block C of the building. The Local Planning Authority considers that the lack of internal space within the development causes significant detrimental harm to the living conditions and residential amenity of current and future occupiers of the unit which is exacerbated by the fact that the bed is on a bed deck which reduces the volume of the property still further, there is no storage space and the single window is a non opening light which requires mechanical ventilation. This is considered contrary to policies GP5 and BD5 of the Leeds Unitary Development Plan (Review 2006) and national planning guidance contained within Planning Policy Statement 3: Housing and Supplementary Planning Guidance 6: Development of Self Contained Flats.”

1.3 The appellant also made an application for a full award of costs.

1.4 The appeal was dealt with by written representations.

2.0 KEY ISSUES

2.1 The Inspector identified the main issue in the determination of the appeal as being whether the use of a previously void space as a 'micro-pad' (or bed-sit flat) affords satisfactory living conditions for current and future occupiers.

2.2 In the case for a full award of costs against Leeds City Council, the Inspector made clear that costs should only be awarded against any party that has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.

3.0 SUMMARY OF COMMENT

3.1 The appeal related to the retention of a self contained bed-sit flat constructed without planning permission within the existing residential apartment block in 2008. The bed-sit is located above the existing lift shaft of the building and is accessed by 3 steps from a small lobby off the top of the stairwell. The bed-sit flat has a floor space of approximately 13sqm incorporating combined living/sleeping/kitchen area. The bed-sit consists of a permanent bed deck over the level 13 stairwell, kitchenette area and a separate en-suite shower room. There is a single non opening window therefore ventilation is via mechanical means.

3.2 The appellant suggested that the floor space of the open plan/living/sleeping/kitchen area and en-suite bathroom to be 15.75sqm. This is how the flat appears on plan, but as the deck (that acts as a bedstead) had been constructed over the slope of the stairwell, the void space underneath this could not be used. The Inspector therefore agreed with the Council that the *useable* floorspace of the flat was approximately 13sqm.

3.3 Leeds City Council's Environmental Health, Housing Regulation Team and Building Control Departments did not offer formal objections to the development. The Inspector stated this was because the flat appeared to meet minimum floorspace standards to which those departments work. The Inspector confirmed that the Local Planning Authority is not duty bound to follow such advice whereby departments work to separate policy framework and legislation, and agreed the decision was based upon the professional views of Planning Officers.

3.4 The Inspector stated that the flat did not meet day to day living standards required for a permanent residential unit and concluded that the storage space provided within the flat was inadequate. The Inspector considered that the flat was not of a sufficient size to offer adequate storage *and* seating for even a single occupier.

3.5 The suggestion by the appellant that the flat offers affordable, functional accommodation within the city centre was dismissed by the Inspector as the development was not considered affordable as defined by PPS3: Housing. The Inspector stated that the development could not be justified on the basis of assumptions regarding circumstances of occupiers.

4.0 DECISION

Appeal

- 4.1 The Planning Inspectorate dismissed the appeal against refusal of planning permission for the retention of the bed sit flat by letter dated 9 November 2010.
- 4.2 The Inspector agreed with the Council's view and concluded that the micro-pad flat fails to provide satisfactory living conditions for the existing and future occupiers, as a result of its size and layout. Therefore the application was considered by the Inspector to be contrary to national planning policy PPS3: Housing and local planning policy in the form of BD5, GP5 and Supplementary Planning Guidance: Development of Self Contained Flats.

Costs

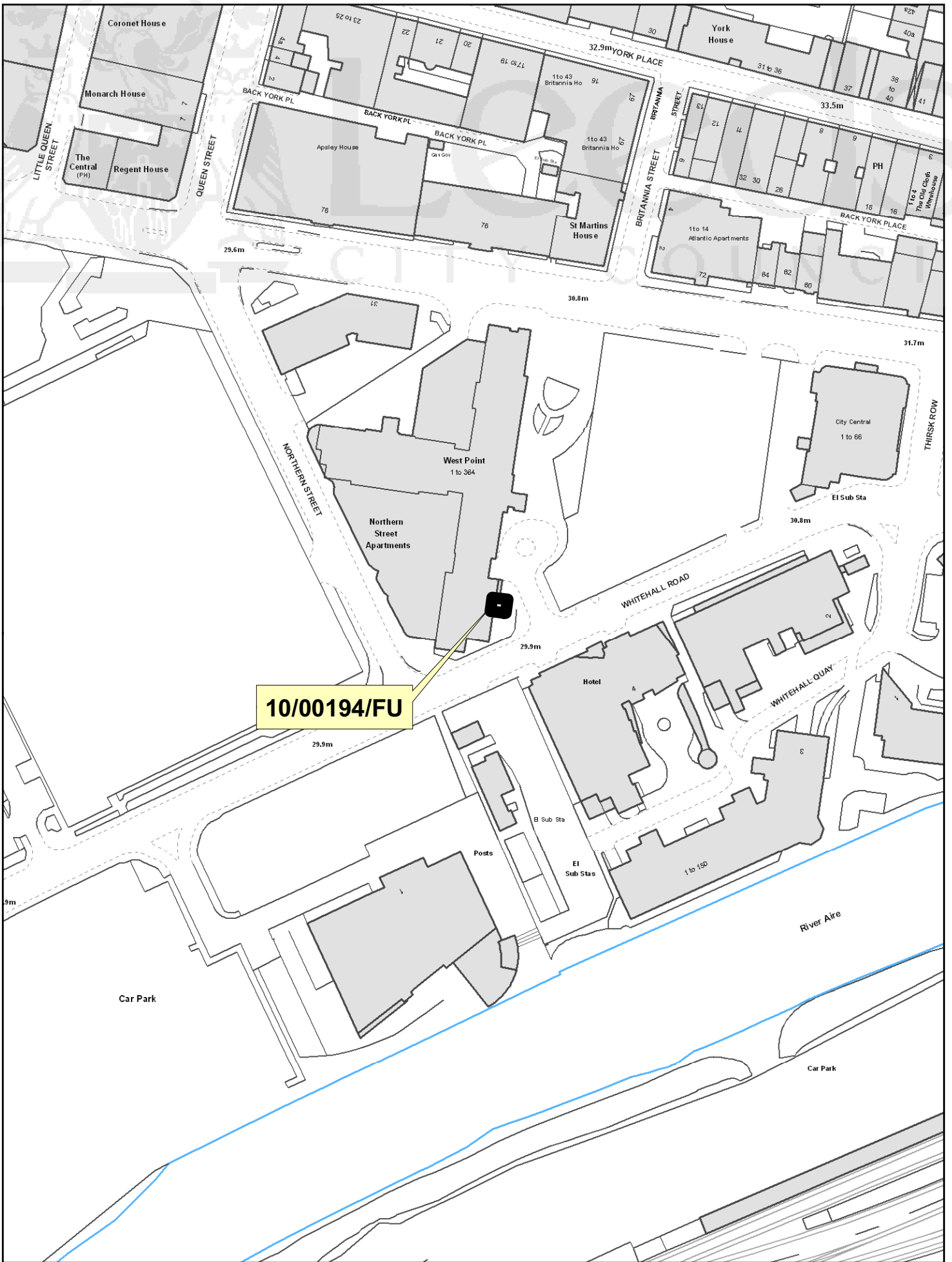
- 4.3 The Planning Inspectorate also dismissed the appellant's application for a full award of costs by letter of 9 November 2010.
- 4.4 The Inspector concluded that the Council had not prevented or delayed development when the flat was completed before the application was made. Un-reasonable behaviour resulting in unnecessary expense as described in circular 03/2009 had not been demonstrated and a full award of costs was not justified.

5.0 IMPLICATIONS FOR COUNCIL

- 5.1 The appeal decision offers guidance for the determination of current and future applications of a similar nature. It demonstrates that insufficient and/or poorly arranged floorspace due to inadequate seating and storage facilities give rise to unacceptable living conditions, even where the minimum space standards used by the Council's Environmental Health, Housing Regulation Team and Building Control Teams are met.
- 5.2 All similar cases will continue to be dealt with on their individual merits. However it will be beneficial for officers to monitor such applications to maintain a consistent approach and to establish if any further supplementary guidance or a shift in local policy is appropriate.
- 5.3 The Inspectorate's decision brings in to question as to whether the council should adopt minimum space standards. Such standards are being introduced in London by the London Housing Design Guide (Interim Edition August 2010). Meeting the standard will be mandatory for homes receiving social housing funding from April 2011, but ultimately all homes will be affected by the guidance as Mayor Boris Johnson intends to incorporate the guide in the London Plan.
- 5.4 National policy PPS3 – Housing, Local policies GP5, BD5 and Supplementary Planning Guidance 6: Development of Self Contained Flats provide the policy framework in which to determine applications whereby living conditions are a key material planning consideration.

Background Papers

Application file: 10/00194/FU



10/00194/FU

CITY CENTRE PANEL