



PLANS PANEL (CITY CENTRE)

**Meeting to be held in Civic Hall, Leeds on
Thursday, 30th August, 2012
at 1.30 pm**

MEMBERSHIP

Councillors

N Taggart (Chair)	M Hamilton	G Latty	D Blackburn
S Hamilton		R Procter	
J McKenna			
E Nash			
P Gruen			
M Ingham			
N Walshaw			

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 Head of Governance Services 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> <p>No exempt items or information have been identified on the agenda</p>	

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3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES OF THE PREVIOUS MEETING</p> <p>To confirm, as a correct record, the minutes of the meeting held on 2nd August 2012.</p>	3 - 8

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7	City and Hunslet		<p>APPLICATION 10/00923/OT - OUTLINE PLANNING APPLICATION FOR REDEVELOPMENT OF LAND AT MEADOW ROAD FOR USES WITHIN THE FOLLOWING CLASSES B1, D2, C1, C3 (UP TO 296 RESIDENTIAL UNITS) AND ANCILLARY A1, A3, A4 AND A5 USES, INCLUDING ASSOCIATED WORKS FOR THE FORMATION OF SITE ACCESS ROADS AT LAND BOUNDED BY MEADOW ROAD, JACK LANE, BOWLING GREEN TERRACE AND TRENT STREET, LEEDS 11</p> <p>To consider a report of the Chief Planning Officer on an Outline Planning Application for Redevelopment of Land at Meadow Road for Uses within the following classes B1, D2, C1, C3 (Up to 296 Residential Units) and Ancillary A1, A3, A4 and A5 Uses, including associated works for the formation of Site Access Roads at Land Bounded by Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street, Leeds 11.</p> <p>(Appendix 1 to follow)</p>	9 - 32
8	Hyde Park and Woodhouse		<p>APPLICATION 11/04987/FU- TWO STOREY AND SINGLE STOREY SIDE EXTENSION TO FORM ENLARGED MUSIC VENUE WITH ROOF BAR AND TERRACE OVER AT THE FAVERSHAM, 1-5 SPRINGFIELD MOUNT, WOODHOUSE LANE, LEEDS, LS2 9NG</p> <p>To consider a report of the Chief Planning Officer for a two storey and single storey side extension to form enlarged music venue with roof bar and terrace over at the Faversham, 1-5 Springfield Mount, Woodhouse Lane, Leeds, LS2 9NG.</p>	33 - 46

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9	Burmantofts and Richmond Hill		<p>APPLICATIONS 11/05399/FU- SIX STOREY AND FOUR STOREY BUILDING COMPRISING 27 FLATS WITH UNDERCROFT CAR PARKING AND 11/05448/CA - CONSERVATION AREA APPLICATION TO DEMOLISH VACANT COLLEGE BUILDING, AT LEEDS COLLEGE OF TECHNOLOGY, EAST STREET, LEEDS, LS9 8DP</p> <p>To consider a report of the Chief Planning Officer for a six storey and four storey building comprising 27 flats with undercroft car parking and Conservation Area application to demolish vacant college building, at Leeds College of Technology, East Street, Leeds, LS9 8DP</p>	47 - 64
10	Hyde Park and Woodhouse		<p>PRE-APPLICATION - PREAPP/12/00278 - 223 BEDROOM STUDENT ACCOMMODATION DEVELOPMENT AT WOODHOUSE SQUARE, WOODHOUSE, LEEDS 3</p> <p>To consider a report of the Chief Planning Officer and to receive a pre-application presentation in relation to 223 Bedroom Student Accommodation Development at Woodhouse Square, Woodhouse, Leeds 3.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation.</i></p>	65 - 68

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11	City and Hunslet		<p>PRE-APPLICATION - PREAPP/12/00631 - PROPOSED DATA CENTRE, BLACK BULL STREET, SOUTH BANK, LEEDS</p> <p>To consider a report of the Chief Planning Officer and to receive a pre-application presentation in relation to a proposed Data Centre, Black Bull Street, South Bank, Leeds.</p> <p><i>This is a pre-application presentation and no formal decision on the development will be taken, however it is an opportunity for Panel Members to ask questions, raise issues, seek clarification and comment on the proposals at this stage. There is no opportunity for public speaking about the proposals outlined in the presentation.</i></p>	69 - 76
12			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note that the date and time of next meeting is Thursday 27th September 2012 at 1.30pm in the Civic Hall, Leeds.</p>	

To:
Plans Panel City Centre Members
and appropriate Ward Members

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

Contact: Stuart Robinson
Tel: 0113 247 4360
Fax: 0113 395 1599
Stuart.robinson@leeds.gov.uk
Your reference:
Our reference: ccpp/sitevisit/
21st August 2012

Dear Councillor

PLANS PANEL CITY CENTRE – THURSDAY 30th AUGUST 2012 AT 1.30PM

Prior to the meeting on Thursday 30th August 2012 there will be site visits in respect of the following:

10:00 am - Pre-app/12/00631 – Black Bull Street
10.20 am
10:30 am – App No 10/00923/0T – Sweet Street/Jack Lane
11.15 am
11.30 am – App No 11/04987/FU – The Faversham, Springfield Mount
12 noon

Panel Members are requested to meet in the Civic Hall ante-chamber for 9.45am, in readiness for a 9.50am start. A mini-bus will be provided.

Please could you let Daljit Singh know (24 78010) if you will be attending the site visits.

The formal Panel meeting will commence at 1.30 pm as usual.

Yours sincerely

Stuart Robinson
Governance Services

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Plans Panel (City Centre)

Thursday, 2nd August, 2012

PRESENT: Councillor N Taggart in the Chair

Councillors S Hamilton, J McKenna,
E Nash, M Hamilton, G Latty, P Gruen,
M Ingham, N Walshaw and D Blackburn

19 Chair's opening remarks

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

20 Late Items

There were no late items

21 Declaration of Disclosable Pecuniary and Other Interests

In accordance with Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct, Councillor Martin Hamilton declared a disclosable pecuniary interest in Applications 12/00662/FU and 12/00663/LI relating to The Algernon Firth Building, Thoresby Place LS1 as the University of Leeds, where Councillor Hamilton was employed, was a joint applicant of the proposed development (minute 24 refers)

22 Apologies for Absence

Apologies for absence were received from Councillor R Procter

23 Minutes of the Previous Meeting

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 5th July 2012 be approved

24 Applications 12/00662/FU & 12/00663/LI - Full Planning and Listed Building applications for the change of use and alterations to former medical institute to form student accommodation comprising 17 cluster flats and 26 studio flats (total 110 bed spaces), with associated gym, cycle store, laundry, reception, plant room, bin store and detached sub station; alterations to car parking, access and landscaping - The Algernon Firth Building, Thoresby Place, Leeds LS1

Having declared a disclosable pecuniary interest in this matter, Councillor Martin Hamilton withdrew from the meeting

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

Draft minutes to be approved at the meeting
to be held on Thursday, 30th August, 2012

Officers presented the report which sought planning permission and Listed Building consent for a Change of Use and alterations to form student accommodation at the Grade II Listed Algernon Firth Building - formerly Leeds University's Institute of Pathology – on Thoresby Place LS1, which was situated in close proximity to the Central Area Conservation Area

Members were informed that the proposals were for 110 bed spaces in a mixture of cluster and studio flats over three floors, with some duplex accommodation being provided on the third floor

A sympathetic conversion was proposed, with the existing porter's reception area and the stair core being retained and refurbished. Externally the non-sensitive additions in the form of ducting and escape staircases would be removed with the existing feature railings being retained, although an existing electricity sub-station within the site would need to be retained

The lightwell to the southern side would be increased in width and made a feature of with seating and planting to enhance amenity and outlook for residents. The existing car parking adjacent to the building is for NHS staff. This would be retained but would be altered from chevron to tandem parking, leading to a reduction in the number of spaces from 21 to 12. However, the provision of one disabled parking space for the proposed use had been agreed with the applicant with all the other spaces being for the sole use of NHS staff

If minded to approve the application in principle, Officers requested the following amendments to the proposed conditions:

- Condition 4 – landscaping proposals to be submitted before commencement of the landscaping works
- Condition 7 – to require servicing arrangements to be carried out in accordance with the submitted revised servicing strategy
- Condition 8 – storage and disposal of litter and waste materials – details to be agreed prior to occupation of the development
- Condition 15 – to be deleted
Application ref:1200663/LI
- Additional condition requiring the two plaques within the building to be retained and reused

Members commented on the following matters:

- the electricity sub-station, the size of this; its proximity to the accommodation and whether everything had been explored to avoid this being sited so prominently
- the suspended ceilings and whether there was a sufficient gap between this and the windows
- the need to ensure the partitions to be used to divide the rooms provided adequate noise insulation
- that some of the duplex units were narrow in comparison to others with concerns that inferior living conditions should not be created
- the possibility of securing two disabled car parking spaces within the revised parking layout

Officers provided the following responses:

- that consideration of the siting of the electricity sub-station had taken place but due to the need for it to be accessible at all times, this was considered to be the most appropriate location for it. To create a softer effect, its appearance would be improved as the sub-station would be clad in timber
- in respect of the suspended ceilings, these had been set back as much as possible and the gap would be approximately 600mm, which had been agreed with the Conservation Officer
- regarding the sound attenuation qualities of the partitions, a sound insulation scheme was required to be agreed by a condition and if required, the materials used could be tested
- concerning the size of the units, all exceeded the guidance from colleagues in Environmental Health in respect of achieving appropriate spaces for studio rooms. Whilst it was accepted that some of the duplex rooms were narrow, they did benefit from double height space and were consistent with what had been approved elsewhere. The Central Area Planning Manager stated that whilst Members' concerns could be discussed with the applicants, the number of bedrooms being provided in the scheme was key to its viability
- that the possibility of securing a second disabled car parking space could be discussed and dealt with by condition

Members largely welcomed the proposals, particularly the reuse of a Listed Building to provide student accommodation in a highly sustainable location and requested that a further site visit be undertaken on completion of the scheme

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the appendix to the submitted report – subject to the amendments outlined by Officers and including a further condition requiring the two plaques within the building to be retained and reused (and any other conditions which he might consider appropriate) and subject to further discussions on the number of duplex units to be provided in view of Members' concerns about the four smaller units being proposed and the possibility of securing a second disabled parking space in the altered NHS staff parking provision adjacent to the building

Following consideration of this matter, Councillor Martin Hamilton resumed his seat in the meeting

25 The Application for an Order under the Transport and Works Act 1992 for the Leeds Southern Station Entrance

Plans, photographs and graphics were displayed at the meeting

Officers presented a report of the Chief Planning Officer informing Members of the progress on the Leeds Southern Station entrance

Members were informed that the application for an Order under the Transport and Works Act 1992 to authorise the construction and maintenance of the scheme had been submitted to the Secretary of State for Transport in May 2012 by Metro and Network Rail; the Council's role in this being that of a consultee. The proposals are almost identical to the proposal that was granted planning permission in May 2012.

Draft minutes to be approved at the meeting
to be held on Thursday, 30th August, 2012

The necessity and importance of the proposals in providing an improved access from the south of the city; an additional stimulus to continued regeneration of this part of the city, providing shorter journey times and helping to reduce congestion at the main station entrance were outlined

Whilst the proposals would have an impact on a small number of flats located closest to the new entrance structure, this had been fully considered when Panel had approved the scheme in May 2010 with the possible benefits the scheme would bring outweighing these considerations

Amendments to the scheme had been made with Little Neville Street now to be pedestrianised to discourage the use of the road as a vehicle drop off / pick up point, although this would still provide a service access that would be controlled by a Traffic Regulation Order. Along the south side of Little Neville Street a pedestrian route/safe route would be provided using high quality surfacing which would be augmented by tree planting, lighting and signage.

As barges would be used to bring the building materials into the area, a construction compound would be sited on Water Lane. This was currently a derelict area, within the City Centre Conservation Area, although the remnants of a former building and its foundations were present. It would be necessary to remove these and level the ground, although the stone archway which mirrored an archway on a listed building in close proximity – at 2 Water Lane – would be rebuilt upon completion of the development, with Officers being satisfied that these proposals would adequately preserve the heritage value of the remains.

In terms of the consultation on the scheme, this had ended on 28th June 2012 and Leeds City Council had confirmed its support for the proposals. In the event of substantive objections, a Public Inquiry could be held in November 2012. If the scheme was approved, work would commence in 2013 and end in 2014

Members commented on the following matters:

- the possibility of retaining the wharf which would need to be created to service the construction compound once the scheme had been completed
- the importance of this development for Leeds; the strong support for the scheme throughout the city; concerns at the lengthy timescale envisaged to determine the application for the Order and that the Secretary of State should be advised of the need for this to be considered quickly
- the improvements the scheme would bring, especially to the walkway under the Dark Arches, which despite attempts to improve the pedestrian experience remained grim

In respect of the demolition works relating to the construction of the wharf, the Central Area Planning Manager advised Members that the Secretary of State had been asked to consider a Conservation Area application and a condition had been requested by the Local Planning Authority to be added to this to require details of the

final treatment and how the site would be reinstated to be agreed by the Chief Planning Officer

The Chair commented on the overwhelming public support the scheme had received and welcomed an early positive decision by the Secretary of State, without the need for the Public Inquiry

RESOLVED - To note the report and the comments now made and that the Chief Planning Officer be asked to write to the Secretary of State requesting early consideration of the Order

26 Date and time of next meeting

Thursday 30th August 2012 at 1.30pm in the Civic Hall, Leeds

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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30th August 2012

Subject: APPLICATION 10/00923/OT – OUTLINE PLANNING APPLICATION FOR REDEVELOPMENT OF LAND AT MEADOW ROAD FOR USES WITHIN THE FOLLOWING CLASSES B1, D2, C1, C3 (UP TO 296 RESIDENTIAL UNITS) AND ANCILLARY A1, A3, A4, AND A5 USES, INCLUDING ASSOCIATED WORKS FOR THE FORMATION OF SITE ACCESS ROADS AT LAND BOUNDED BY MEADOW ROAD, JACK LANE, BOWLING GREEN TERRACE AND TRENT STREET, LEEDS 11

APPLICANT	DATE VALID	TARGET DATE
Montpellier Estates Ltd	3/3/10	23/7/10

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations;

- public transport contribution (£1,101,310);
- education contribution (equating to £2980.42 for each 3+ bed dwelling if more than fifty 3 bed dwellings are provided);

Securing the travel plan, car club contribution and travel plan monitoring fee (£15,000);

- penalties (including financial) if the travel plan targets are not met;
- delivery of 5% affordable housing (or the percentage required by the affordable housing policy adopted at the time);
- public access arrangements to ensure 24 hour access is provided through the site
- securing the car park management plan
- £20,000 on-street car parking mitigation fund if it is found that the development creates on-street parking problems in nearby streets
- £6,000 for each of the pay and display parking bays removed from Trent Street, Bowling Green Terrace and Jack Lane (54 spaces = £324,000)

- ability to submit a viability appraisal if the developer believes the scheme and current contributions to be unviable
- training and employment initiatives to ensure local people are involved in the delivery of the scheme;
- section 106 management fee (£5250).

In the circumstances where the Section 106 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.

1.0 PURPOSE OF THIS REPORT:

1.1 This is a major mixed use proposal on a large site in an important gateway location. A position statement regarding the proposed scheme was presented to Members on 1st July 2010. Members raised a number of queries regarding the scheme and a workshop was held 16/9/10. Officers have been involved in further discussions that have sought to address the issues highlighted at the workshop and the proposal is now brought to Panel for determination.

2.0 PROPOSAL:

2.1 This outline scheme seeks approval for the principle of development and means of access only, all other matters (scale, appearance, landscaping, and layout) are reserved.

2.2 The scheme would comprise of 10 buildings providing office, residential and leisure (primarily hotel) accommodation, a multi-storey car park (MSCP) and ancillary retail units. The table below highlights the maximum floorspace proposed:

Use	Maximum Floorspace (Gross External Area M ²)	
Office (B1)	93,071	
Residential (C3)	22,427	Up to 296 units
Retail (A1)	2,499	
Food and Drink (A3-A5)	1,483	
Leisure (incl. casino) (D2)	8,908	
Hotel	22,852	
Miscellaneous	751	
Car Parking	44,066	1,552 spaces
Total	196,057	

2.3 Consent is sought for an amount of development up to the maximum floorspace identified above. Parameter plans have been submitted that show the minimum and maximum footprints and heights of the proposed buildings. In addition there is a parameter plan that shows the minimum and maximum distances between buildings to ensure appropriate separation and amenity space is provided.

2.4 Primary uses for the ground floor and upper floors of each building would have possible alternative uses. Ground floor 'active frontages' (A1, A3-A5 uses) are provided along the north-south pedestrian route through the heart of the development and along the Sweet Street frontage.

2.5 As the scheme is in outline only, full details regarding form and design are not known at this stage. However, in addition to the parameter plans, a design code

further highlights various parameters, design principles and precedent images of buildings materials that will influence the future reserved matters submissions. The design code also identifies how temporary works will take place as the site is built out in phases.

- 2.6 A large area of public open space is located in the middle of the site that is intended to provide a 'green heart' to the development. On the western boundary are the residential blocks (R1, R2, R3). The MSCP (CP1) is located to the south of this open space with three office buildings (O2, O3, O4) fronting Meadow Road in the east. There is a further office block (O1) and the hotel/casino development (C1, H1, H2) at the northern end of the site on the Sweet Street frontage.
- 2.7 Vehicular access/egress points are available from Sweet Street and Bowling Green Terrace with an additional egress point onto Jack Lane. Further service routes will be provided within the site. The scheme also allows for the delivery of a cycle lane running north-south within the site (as requested by Members when considering the previous outline approval).
- 2.8 A Car Park Management Plan has been submitted that highlights how the multi-storey car park will be managed to ensure it provides UDPR allocated parking, car sharing and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation of the car park in accordance with UDPR allocations. Around 450 parking spaces will be provided in the basements of the proposed buildings.
- 2.9 The electricity substation currently in the centre of the site will be relocated into the proposed MSCP on the southern boundary.
- 2.10 A section of Trent Street is to be closed and Bowling Green Terrace is extended up to Sweet Street.
- 2.11 The scheme is a phased development, areas of public open space and highway works are delivered with relevant building phases.
- 2.12 As this is a major multi-phase and multi-building development, the applicant has requested the time limit for implementation be increased. In line with government guidance that permits planning authorities to agree extended time limits, and other recent approvals in the city centre, an increase of the normal time limit is considered appropriate. Conditions will restrict the development to no more than 4 phases and require phase 1 reserved matters to be submitted in 5 years with following phases submitted every two years.
- 2.13 The application is supported by the following documents:
- Planning Statement.
 - Design and Access Statement
 - Design Code and Sustainability Statement.
 - Various plans for approval and for information.
 - Transport Assessment.
 - Car Park Management Plan.
 - Environmental Site Investigation.
 - Geo-Environmental Desk Study.
 - Master Travel Plan.
 - Residential Travel Plan.
 - Noise Assessment.

- Air Quality Assessment.
- Wind Impact Assessment.
- Ecological Habitat Report.
- Utilities Statement.
- Statement of Community Involvement.
- Flood Risk Assessment.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies within the southern part of the City Centre, immediately west of Meadow Road, which is the main distributor to the City Centre from the M621.
- 3.2 The site measures 3.79 hectares.
- 3.3 The area has been predominantly commercial in the past but much of the site is now cleared and used as a commuter car park. Halfords are located in the north east corner of the site; there is an electricity substation in the middle. Previous uses include a bowling alley, car dealership and repair garage and associated open parking areas.
- 3.4 There is a large electricity sub-station within the site, and industrial units to the west. Small, low industrial units lie to the south across Jack Lane. To the north, across Sweet Street is the City Walk development consisting of offices, Bewleys Hotel and residential units, rising to 10 storeys, two cleared sites providing further commuter car parking but with approval for an 8 storey office block and the 'Mint' development consisting of 8 storeys of offices. Planning application 09/03829/OT approved a multi-storey car park and two office blocks of 6 storeys in height on the site to the immediate west of 'City One'.
- 3.5 The site rises from Sweet Street southwards towards Jack Lane.
- 3.6 The eastern portion of the site lies within a Prestige Development Area as designated by the Leeds Unitary Development Plan Review (2006). The site is outside Holbeck Urban Village with the boundary being Sweet Street to the north of the site.
- 3.7 There are gas pipelines running along the northern and southern edges of the site and flood zones 2 and 3 extend into the northeast portion of the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 20/517/04/OT: Outline application for a multi-level development up to 40 storeys with 450 flats, offices, hotel, casino, MSCP (1550 spaces), A1, A3, A4, A5, approved 19/9/06. This consent was for a similar major mixed use scheme to that currently proposed. This scheme was on a slightly smaller site as it did not include the former LA Bowl site that is now included in the current application. This consent expired in September 2009 and, in addition to the application below, established a number of principles for a major mixed use development in the area.
- 4.2 20/476/02/OT: Outline application to erect up to 22 storey hotel & casino, offices A1 A3, A4 and A5 food & drink units and multi storey car park, approved 21/2/03. This was the first major mixed use approval for a site that excluded the former LA Bowl site and the warehouse to the southwest.

4.3 11/05281/FU: A 742 space temporary commuter car park was approved at the 15/3/12 Panel.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Officers commenced discussions on the current proposals in 2007. Initially, a number of workshops took place to undertake an urban design analysis of the site and surrounding area and establish 10 key urban design principles. This analysis and design principles were then used to develop the site layout and parameter plans that formed part of the application submission. Detailed discussions have also taken place regarding the highways implications and section 106 heads of terms.

5.2 A pre-application presentation was made at the 5th November 2009 Panel. The scheme architects presented the proposals and Members made the following comments:

- Was there any affordable housing included in the scheme? *Response: In accordance with policy, the scheme will aim to deliver affordable housing on site.*
- A daylight/sunlight study should be submitted to ensure sufficient light will penetrate the residential units and open space. *Response: A sun path study for the months of April, July and October has been submitted in support of the scheme and a brief commentary is provided in the design and access statement. The main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations. Information has been provided in the design code that highlights the quality of the design of the open spaces.*
- The scheme should include good street and feature lighting. *Response: Feature lighting columns have been identified on the main north-south pedestrian route through the central public space to highlight this route. Full details of the lighting will be conditioned.*
- There was uncertainty regarding the quality of the open space, potential dominance of buildings and the amount of light into these spaces. *Response: Further details regarding the amount, usability and quality of the open space is provided within the supporting documents. The scheme complies with UDPR policy CC10 that requires a minimum of 20% public open space. A more detailed appraisal of the public open space is provided in section 10 below.*
- Has sufficient public open space been included? *Response: See comment above and appraisal section below.*
- The site is a prominent and important site and needed to be dynamic. *Response: The indicative layout proposes a layout that introduces new pedestrian connections and the potential for landmark buildings. The flexibility of the proposals, design code and developer's commitment to using a number of architects to design the individual buildings will further ensure a high quality dynamic site.*
- Whilst accepting the need for flexibility, it was important that the maximum tolerances were not pursued across the whole site as this would lead to a reduction in amenity space. *Response: The maximum tolerances cannot be achieved across the whole site with regard to building heights. The parameter plans include a plan that requires minimum distances between buildings to ensure the amenity space is kept to an acceptable level.*

- 5.3 Following the presentation to Members, officers continued discussions with the applicant to ensure the submitted scheme was developed to reflect members' comments.
- 5.4 The applicant carried out a public consultation exercise in the Ante Chamber of the Civic Hall on the same day as the pre-application presentation, 5/11/09. Invitations were sent to 20 businesses adjacent to the application site, ward councillors, members of the Leeds, York and North Chamber of Commerce and an advert was placed in the Yorkshire Evening Post. This event displayed the proposals and was attended by 20 people, 4 comment sheets were submitted. The comments largely supported the scheme and its greenspace, there were comments requesting family housing and local employment.
- 5.5 The applicant also met with Leeds Civic Trust on 6/11/09. In a letter from the Civic Trust support for the scheme was offered and it was stated it was a significant improvement on the previous scheme. The Civic Trust also believed the scheme proposed better integration into the surrounding area and supported the mix and distribution of uses.
- 5.6 The application was submitted 3/3/10 and a position statement was presented to Panel 1/7/10. A copy of the minutes of this meeting including queries raised and responses provided are copied at Appendix 2.
- 5.7 To allow a more informal evaluation of the proposals, a workshop was held 16/9/10. A variety of comments were made regarding the proposals and a summary of these is provided below. A response is provided to each point.
- The influence of the first building constructed, how does this impact on the masterplan/subsequent buildings, how will the site's development be managed? *Response: All phases will accord with the masterplan and parameters agreed with the outline application. The design code and conditions require the masterplan and parameter plans to be updated with each reserved matters submission to ensure the principles set out now are continued through each phase. Those principles include how the scheme will appear with or without a tall building.*
 - The need for temporary works and a need to understand the phasing. *Response: The design code outlines the principles behind the phasing and temporary works (such a footpaths, landscaped areas) and further details are required with each reserved matters.*
 - The extent of the parameters, particularly H1/H2. One member stated the parameters should be no more than 1-2 floors. *Response: Some of the parameters are still significant (up to 22 storeys) but most parameters are much less. For such a large city centre site with few restrictions regarding height, such variations are considered acceptable. Additional detail is provided in the design code that provides further clarity on the relationship between buildings to ensure there are not great disparities in heights across the site and appropriate relationships between buildings.*
 - The importance of the site at the entrance to the city centre and importance of the Meadow Road elevations of O2-O4. – *The design code highlights the importance of the eastern elevations of O2-O4 and southern elevation of O4 and commits to quality surfacing and a major piece of public art at the southern gateway location. The developer intends to introduce this public art as part of the enhancements to the approved commuter car park.*

- The potential for improving the pavement into Holbeck adjacent to the slip road. *Response: Highways officer have been to site and examined the area in question. It is considered that the pavement is well surfaced, of sufficient width, well lit and includes a cycleway therefore improvements have not been sought. The developer will be upgrading the subway under the M621 toward Beeston/Holbeck Moor and will introduce a cycleway adjacent to Meadow Road.*
- Does the MSCP block the north-south route? *Response: This has been examined in detail and the MSCP is proposed to be cut back at the lowest three levels to ensure views and a pedestrian route are provided out of the southwest corner of the site.*
- The need for a site visit, can the site be viewed from above (from within Bewleys/The Mint)? The need to understand the site layout when visiting, particularly the office boulevard and central open space. *Response: Contact has been made with the building manager of the Mint and it is hoped a visit can be made.*

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 An advert was placed in the Leeds Weekly News 18/3/10 and site notices were placed around the site on 12/3/10.
- 6.2 Leeds Civic Trust has commented on the scheme and generally support the proposals. The Trust believe this is a significant improvement on the previous scheme and will integrate into the grain of the city. The mixed use character will increase activity to Holbeck and it will be important to create a safe and direct route across Sweet Street. The layout of uses seem appropriate but the proximity of the proposed MSCP to the west of the site could restrict the amenity of the proposed residential units. The tall building is appropriate in this location and its design should be of a high quality. More than one architect should be used to design the buildings. *Response: The MSCP car park to the west would be no less than 16.5m from the proposed residential block (and could be up to 24m away), this separation is considered compatible with the existing city centre character and urban grain and would not unduly detract from adjoining residential amenity. The detailed design of the MSCP will ensure that there are no adverse effects on amenity (eg car headlights etc). The design code highlights quality design and the developer's commitment to seeking multiple architects designing the buildings. Crossing routes across Sweet Street are being examined by highways colleagues.*
- 6.3 One letter of support has been received from Rushbond Plc that own the land on the western side of Bowling Green Terrace. Rushbond are generally supportive of the mixed use scheme. However, Rushbond believe the central space is inward facing resulting in the buildings turning their back on the Rushbond site. The buildings adjacent to their site are substantial. *Response: The scheme has developed with buildings on the back edge of Bowling Green Terrace and it would be inappropriate to set the buildings in from the highway and create any limited and difficult to use open space. The large central space will meet public open space requirements for the site and much of the area and will extend to the western edge of the site and therefore allow adjacent developers to link to and associate with this space. Whereas the proposed buildings are taller than the existing commercial units they respect the more recently constructed buildings and heights intended for the area as supported by the Holbeck Urban Village Planning Framework.*

7.0 CONSULTATIONS RESPONSES:

- 7.1 **Statutory**
- 7.2 **Environment Agency:** No objection subject to a condition requiring a sustainable drainage system be agreed.
- 7.3 **Health and Safety Executive:** The site falls within the consultation distances of two high pressure gas pipelines. Only landscaping and access roads are located within the inner zone of the pipeline on Sweet Street and part of the MSCP and less than 10% of office block O4 are within the inner and middle zone of the pipeline at the south of the site. As such there is no objection on safety grounds.
- 7.4 **Highways:** A highway improvement scheme has been submitted to provide traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site. Further testing of the impact on the highway has taken place and is considered acceptable. Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians. A car park management plan (CPMP) has been submitted to ensure appropriate management of the MSCP that serves the development. A one-off payment of £6,000 will be required for the removal of each pay and display parking space on Trent Street to cover the loss of revenue.
- 7.5 **Highways Agency:** A road safety audit has been carried out and is acceptable subject to the implementation of the agreed highway improvements. The travel plan is acceptable.
- 7.6 **Leeds Bradford International Airport (LBIA):** The tallest building (up to 119m) does not raise any problems. Crane locations and radio masts should be agreed with LBIA and there should be minimal light pollution. *Response: The requirement to inform LBIA regarding crane and radio masts will be added as a direction, the standard lighting condition will also be added to protect against excessive light pollution.*
- 7.7 **Non-statutory**
- 7.8 **Access:** The application is in outline and no details regarding access are provided. Such details should be addressed by the reserved matters submissions. No objection.
- 7.9 **Affordable Housing Delivery Team:** 15% of the residential units should be affordable. *Response: Since this consultation the interim affordable housing policy has been introduced. Affordable housing will be sought in accordance with this policy.*
- 7.10 **Architectural Liaison Officer:** The site is within a high crime area and consideration of this should be taken into account. The North East Counter Terrorism Unit should be contacted at reserved matters stage and site security should be considered during detailed pre-application discussions.
- 7.11 **Education:** If any of the residential units have 3 or more bedrooms an education contribution would be required. *Response: Such a requirement will be incorporated into the S106.*

- 7.12 **Entertainment Licensing:** Licenses would be required for any casino/bingo hall and any premises selling alcohol.
- 7.13 **Environmental Health:** The dominant noise source in the area is road traffic, this issue is addressed in the noise report, double glazed non-opening windows and alternative ventilation will address this concern. Standard conditions are requested plus conditions restricting entrance/exit doors to the hotel and casino being onto Sweet Street only to protect the amenity of the residential accommodation. *Response: An appropriate condition will be added that requires a full examination of the potential for opening windows and suitable ventilation systems. The site is a major mixed use scheme with many active uses and it is hoped it will be in use 24 hours a day. As such it is not considered necessary or appropriate to restrict the location of the access doors to the casino and hotel uses.*
- 7.14 **Land Contamination:** No objection subject to conditions.
- 7.15 **Mains Drainage:** No objection subject to standard conditions.
- 7.16 **Metro:** Concerns are raised regarding the level of car parking, a public transport contribution should be sought, the developer should demonstrate how people will access the site from the opposite side of Meadow Road, the developer should provide a contribution to a second free city bus, greater commitment to the travel plan measures should be provided and there is an objection to the shortening of the bus lane on the inbound Dewsbury Road. *Response: The car parking is in accordance with UDPR allocation. The development will trigger a public transport contribution in accordance with policy but there is no second 'free' city bus proposed at this time and no policy for this specific contribution. Until such a requirement for the second free city bus is identified, public transport contributions will continue to assist the delivery of improvements already identified. It is envisaged most people will arrive at the site from the north or south, existing crossing points are provided on Meadow Road. Improvements to the travel plans have been made and these documents are now considered acceptable. The shortening of the bus lane is relatively short and will assist the free flow of other traffic; there is no objection from highways officer or the Highways Agency on this matter.*
- 7.17 **Northern Gas Networks (NGN):** NGN object to the scheme unless there is reference to the potential need to divert the pipelines and the lead in time to complete this work. NGN would like any planning consent granted to make reference to the need to permit NGN to undertake a risk assessment to examine if the pipelines will need to be moved and if they need time to complete the works. *Response: The Health and Safety Executive (HSE) are the statutory consultee regarding the gas pipelines adjacent to the site and they raise no objection to the proposals, as with the previous planning applications. Primarily landscaping and access roads and only a small amount of the buildings are affected therefore no objection is raised. However, the pipeline operator, Northern Gas Networks (NGN) (a non-statutory consultee), still object to the proposal unless the development is prevented from being commenced until they have relocated and therefore downgraded the pipeline. The legal requirement to downgrade any risk posed lies with the NGN therefore, as with the previous planning applications approved at the site, withholding planning permission or a condition restricting the commencement of the development on this ground is not appropriate. The regulations regarding the safety of the pipeline are enforced by the HSE under separate legislation and the planning authority should not try to duplicate control or legislation. It is therefore considered there can be no concerns regarding granting planning permission on safety grounds. Whilst concerns expressed by NGN have been taken into account*

as a material consideration, on balance, whilst NGN may have to reconsider its operating methods in conjunction with the HSE, under its own legislation, the benefits in planning terms arising from the proposals, which are in line with long established proposals for the area, outweigh these concerns. For completeness, a direction will be added to request the developer liaises with the NGN prior to the commencement of development.

- 7.18 **Public Transport Officer:** The proposal will generate a significant number of public transport trips therefore a contribution of £1,101,310 should be sought in accordance with supplementary planning guidance.
- 7.19 **Transport Policy:** The agreed travel plans and monitoring fee of £6,715 must be secured by S106. Conditions should be added that require cycle and motorcycle parking, the location of the car club and the 100 car share spaces and the provision of staff shower facilities.
- 7.20 **West Yorkshire Archaeology Advisory Service (WYAAS):** There are no apparent significant archaeological implications attached to the proposed development.
- 7.21 **Yorkshire Water (YW):** Standard conditions requested including ones requiring easements to the water mains and sewers that cross the site. The baseline layout includes buildings over the line of the sewers and would not be acceptable. Sustainable Drainage Systems (SUDS) should be encouraged. Surface water discharges should have a reduction of a minimum of 30% on current levels to reflect climate change. The submitted Flood Risk Assessment (FRA) is acceptable and indicates discharge rates as previously agreed with YW. *Response: The requested conditions will be added to any approval and will include a condition that ensures reduced discharges. Whereas the potential site layout would conflict with existing sewers and/or water mains the conditions allow for diversion of the water mains to be agreed and implemented prior to the buildings being constructed. This issue has already been raised directly with the developer by YW and should not prevent any grant of planning consent.*
- 7.22 **Yorkshire Forward (YF):** Prior to being disbanded, YF welcomed the scheme as it has the potential to deliver significant economic benefits to the city and wider city region. The development will enhance the entrance to Leeds and assist in the regeneration of Holbeck Urban Village (HUV). The range of uses is appropriate and YF would support uses that further promote social inclusion in the area. The Sweet Street boulevard and central public open space are also welcomed. The highest sustainability standards viable at the site should be sought.

8.0 PLANNING POLICIES:

8.1 Development Plan Policies

- 8.2 **Regional Spatial Strategy (RSS):** 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. There are no RSS policies of particular relevance; all issues are covered by the UDPR policies identified below.

- 8.3 **Unitary Development Plan (Review 2006) (UDPR):** The eastern part of the site is located within a Prestige Development Area (PDA). Other relevant policies include:

Policy 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.

BD15: Public art will be encouraged where appropriate.

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

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

T24: Parking to reflect detailed UDP parking guidelines.

H4: Residential developments on non-UDPR allocated sites.

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.

CC4: High quality design and appropriate scale at city centre gateway locations.

CC10: Sites over 0.5ha require 20% public open space.

CC21: Ancillary shopping development can be accepted outside the Prime Shopping Quarter

CC27: Proposal areas within the City Centre.

CC31: Uses appropriate within Prestige Development Areas (incl. hotels, conference, leisure).

S1: The role of the CC as the regional centre will be promoted.

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.

LD1: Identifies requirements for landscape schemes

- 8.4 **Relevant Supplementary Planning Guidance.**
- 8.5 **Tall Buildings Design Guide (Adopted April 2010):** This Supplementary Planning Document (SPD) provides guidance as to where tall buildings should and should not be built. The document highlights the importance of design and urban design and seeks to protect the best elements already established within the city.
- 8.6 **Public Transport Improvements and Developer Contributions (2008):** Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.
- 8.7 **Holbeck Urban Village (HUV) Revised Planning Framework (2006):** Despite being outside HUV the principles established by the HUV Framework should be closely followed. This includes the guidance regarding the scale of development along Sweet Street, materials and uses.
- 8.8 **Neighbourhoods for Living – A Guide for Residential Design in Leeds (2003):** This SPD provides guidance regarding the themes and principles of residential design; the character and essence of Leeds and the submission requirements and analysis based process.
- 8.9 **Building for Tomorrow Today – Sustainable Design and Construction (2011):** Sustainability criteria is set out including a requirement to meet BREEAM standards.

8.10 National Planning Guidance

8.11 The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved. The framework, which includes guidance regarding building a strong, competitive economy, ensuring the vitality of town centres, promoting sustainable transport, and conserving the historic environment, is a material consideration.

9.0 MAIN ISSUES

- Principle of development and uses including the retail provision.
- Connectivity and site layout.
- Public open space.
- Scale, form and design principles.
- Highways issues.
- Sustainability and biodiversity.
- High pressure pipelines.
- Section 106.

10.0 APPRAISAL

10.1 Principle of development and uses including the retail provision

10.2 The principle of a major mixed use development in this area has been established by the previous two planning approvals. Whereas the site has now increased in size and therefore resulted in a change to the amount of development proposed, the principle of redeveloping this largely cleared brownfield site is supported.

10.3 The development is located within the city centre and proposes a type and mix of uses similar to previously approved and in accordance with current development plan policy and national guidance that seeks to promote sustainable development in accessible locations and leisure uses within defined centres. The PDA designation supports the range of uses proposed.

10.4 The maximum retail content proposed is similar to that previously permitted. The amount of retail amounts to approximately 1% of the total floorspace proposed for the development. However, this is still a significant amount outside the designated Prime Shopping Quarter (PSQ), up to 2,499m². Policy CC21 and paragraph 13.6.9 of the UDPR promote ancillary shopping outside the Prime Shopping Quarter. It is still considered that the proposed retail content at the City One site could serve the site itself plus the existing and proposed developments nearby. Subject to conditions that seek further agreement regarding the scale of units and type of goods sold (greater emphasis on convenience goods rather than comparison) the retail content is considered acceptable and will not detract from the vitality and viability of the Prime Shopping Quarter. The draft Core Strategy supports the introduction of local centres outside the Prime Shopping Quarter to serve local development, particularly south of the city centre.

10.5 Connectivity and site Layout

10.6 In addition to the understanding of the site and its surroundings identified during the course of approving the two previous planning applications, this scheme benefits from detailed pre-application discussions, a Panel workshop and lengthy officer

discussions. A detailed urban design analysis of the site and surrounding area and a number of workshops took place to establish ten key urban design objectives that have influenced the scheme now proposed. The site layout fully accounts for the existing and proposed communities in the area and will significantly improve connections to and from the city centre, HUV and other nearby sites.

- 10.7 The urban design analysis identified key pedestrian access points and desire lines within the locality of the site and wider area and sought to clearly identify with these by locating the pedestrian routes into and out of the site in relation to the identified points and routes. One of these routes identified and incorporated into the scheme effectively links the Beeston area via New Princess Street to the southwest of the site, through the main public open space within the site, and onto Sweet Street and the city centre beyond. This was identified as being one of the key routes the site should deliver and resulted in the large area of public open space (5,250m²) in the centre of the site and the various ancillary routes into and out of this space. The design code ensures connecting vistas are introduced at various points along this route.
- 10.8 In addition to the creation of the principal open space, associated linking spaces and pedestrian routes, another of the ten key urban design objectives sought to introduce a strong built form on Sweet Street, Meadow Road and Jack Lane to create a boundary to the site and define the street edge. Such definition has been achieved by locating on or close to the boundaries of the site whilst the large open space and linking spaces ensures the site is not an insular development but one with a strong edge that still integrates with the surrounding area.
- 10.9 The location of the gas pipeline at the Sweet Street boundary has restricted development in this area therefore whereas a strong building line has been achieved, this is set back from Sweet Street. Such a strong building line (in addition to the scale of buildings discussed below) ensure the HUV Framework's aspiration to create the sense of an avenue along Sweet Street is achieved.
- 10.10 As the application is in outline only with layout being one of the reserved matters, parameter plans have been submitted that identify the minimum and maximum distances between buildings plus minimum and maximum building footprints. These plans ensure the appropriate vehicular and pedestrian access points can be delivered whilst allowing for flexibility in the final scheme. The layout parameters have been carefully examined to ensure appropriate distances between buildings are provided in the interests of streetscape, privacy, public open space and connectivity. As a minimum the site layout achieves significant open space and pedestrian connectivity in conjunction with the potential for attractive streetscapes and ensures distances from residential properties to other buildings achieves a 15m separation to protect privacy. Open space and the streetscapes (including the scale of the buildings) are discussed in more detail below.
- 10.11 Public open space
- 10.12 As identified above, pedestrian connectivity and the resulting public open space has been a key driver in the development of the scheme to ensure appropriate connections are made and a minimum of 20% public open space is achieved in compliance with UDPR policy CC10. If all maximum building parameters were proposed at reserved matters stage, therefore resulting in the minimum acceptable distances between buildings, the proposal would still meet the requirements of policy CC10. The open space would be significantly increased if the distances between buildings were greater than the minimum space parameters.

- 10.13 In addition to ensuring the amount of public open space is compliant with policy and the aspirations for the site, details of the quality of the spaces have been sought with information provided within the design code and associated plans. The design code designates eight areas within the site and promotes a type of space suitable for that location. For example, the large central space (5,250m²) is identified as the 'green heart space' that will incorporate 'lawns, parkland trees and a formal pedestrian avenue linking the north-south axis of the park. The use of natural materials such as timber to vertical structures and resin bound aggregate to footpaths' to emphasise its 'parkland character'.
- 10.14 Another important part of the site is the space adjacent to Sweet Street. This will take the form of a 'tree-line boulevard with avenue tree planting, integrated parking and wide pavements'. It will include the use of stone to crossing points to add warmth and texture to the urban street scene whilst other surfacing materials will demark areas under tree canopies and key intersections.
- 10.15 In addition to the specific references to the eight identified public open space areas, the design code commits to using materials referenced within the HUV Framework, despite being outside the framework designation, to complement those within HUV.
- 10.16 The principles established in the design code will clearly determine the type and feel of the public open space across the site. In addition a plan defining active frontages has been submitted. This will ensure that the design of the buildings into the key public open spaces plus some of the uses within them will provide an appropriate setting to the spaces. Retail uses plus leisure uses such as bars and restaurants are proposed in these areas.
- 10.17 At the pre-application presentation members raised queries regarding both natural and street light within the public open spaces. As stated at 5.2, a sun path study for the months of April, July and October has been submitted in support of the scheme that shows the main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations.
- 10.18 With regard to street lighting, the submitted plans identify feature lighting columns on the main north-south pedestrian route through the central public space. Full details regarding lighting will be conditioned.
- 10.19 The proposed scheme introduces an acceptable amount of public space and commits to introduce high quality spaces specifically designed to meet the needs of its particular location. Active frontages further enhance the spaces and full details of all landscaping will be required by condition and reserved matters.
- 10.20 This is a major scheme comprising ten building on a site of almost four hectares, therefore it is envisaged that the sites development will be phased. To ensure the key open spaces and connecting routes are delivered with the phases, the design code commits to delivering these pieces of urban infrastructure with the relevant phase. A 'Delivery Phase Diagram' clearly highlights this point and will be presented to Panel to clarify this point.
- 10.21 The design code also highlights the temporary works that will be introduced whilst the site is being developed incrementally. Temporary surfacing and landscaping

works are proposed in the areas not being fully developed to ensure the key pedestrian routes and spaces are still provided, albeit in a temporary manner.

- 10.22 The proposed layout is in keeping with long held aspirations for the site and is considered to provide links to key sites and communities in the surrounding area. The design code commits the developer to completing the spaces within the site to a high standard and to include public art whilst also ensuring temporary works take place if the site is developed in a phased manner.
- 10.23 Scale, form and design principles
- 10.24 Parameter plans have also been submitted regarding the height of the proposed buildings. The key influences to have determined the scale of the proposals include the existing buildings in the area, general urban design objectives highlighted in UDPR policy, the HUV Framework, tall buildings SPD and the previous planning approvals. One of the 10 urban design principles agreed through the pre-application design development also sought to achieve a diverse skyline that frames views into the city. At the pre-application presentation to panel it was stated by one member of the panel that a dynamic development should be sought at this key gateway site.
- 10.25 The HUV Framework promotes buildings of around 7-9 storeys on the northern side of Sweet Street that would in turn closely reflect the scale of the existing Bewleys Hotel at the eastern end of Sweet Street. Despite being outside the HUV Framework boundary, 3 of the 4 proposed buildings on Sweet Street (R1, O1, O2) reflect this scale within their parameters.
- 10.26 The exception to this is the casino/hotel building (C1, H1, H2) that has a plinth with a parameter of 2-9 storeys with tower above ranging between 18 and 40 storeys. As this proposal incorporates a plinth, greater flexibility in the scale was considered acceptable as the primary element of the building is the tall tower. Tall towers were approved under the previous applications and the location of this tower is compliant with the tall buildings SPD that highlights suitable locations for tall buildings. The proposed tall building is within the north-south spine of existing and proposed tall buildings, at a gateway location, within a Prestige Development Area (PDA) and within a potential cluster area for tall buildings. This building will act as a 'pointer' for the pedestrian route from the south into the city.
- 10.27 The building in the northeast corner of the site (O2) reflects the 7-9 storeys appropriate on Sweet Street whilst development to the south of this along Meadow Road will be permitted under the parameter plans to increase in height up to a maximum of 13 storeys. This allows for greater prominence of the building in the southeast corner of the site and therefore appears as a gateway building adjacent to the M621 distributor, one of the main routes into the city.
- 10.28 The MSCP on the southern boundary of the site (CP1) and remaining buildings on the western boundary (R2, R3) have proposed heights of 6-12 storeys and 6-9 storeys respectively. The scale of the car park will be determined by the amount of development elsewhere within the site and the relevant level of car parking required. The residential buildings reflect the scale of the buildings proposed at the adjacent site to the northwest.
- 10.29 The building toward the centre of the site (O5/R4) is designed with the greatest flexibility. The parameters allow this building to either be in a lower block form of 2-9 storeys or a taller building up to 40 storeys. The design code places restrictions on

the form this building can take and images presented to Panel will provide the necessary clarity.

- 10.30 Despite being in outline only, a design code has been submitted that highlights a number of key design principles and aspirations that have been identified through the development of the scheme and will influence the final form and appearance of the buildings to be agreed via reserved matters submissions.
- 10.31 The design code identifies where setbacks should occur in many of the buildings to reduce the prominence of upper floors and respect the scale of other buildings in the locality. The design code also requires the buildings along Meadow Road to be within 3 storeys of each other to ensure an appropriate urban form along this important route into the city.
- 10.32 With regard to the taller buildings there is a requirement for the two medium sized towers (H1, R4) to be no more than half the height of the tallest tower (H2), or vice versa, to ensure there is only one tall tower that remains the most prominent and acts as a marker in the area.
- 10.33 The detailed design of the tall buildings will comply with the tall buildings SPD to ensure high quality design and a focus on an appropriate grounding and top to the building.
- 10.34 Precedent images are included within the design code to highlight attractive elements of existing schemes that will be considered for the final design of the proposed buildings.
- 10.35 The scale of the buildings has taken into account the space between the proposed buildings and relationship with other buildings in the area whilst the proposed parameters and design principles ensure the individual buildings and site on the whole are appropriate for the area.
- 10.35 Highways issues
- 10.36 A highway improvement scheme has been submitted to provide traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site. This has been tested and is considered acceptable subject to a number of highway improvements to aid traffic flow and improve pedestrian safety and connectivity.
- 10.37 Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians.
- 10.38 The proposals will deliver a public transport contribution totaling £1,101,310. It has been agreed that £90,000 of this can be used for improvements to the subway under the M621 and footway/cycleway along Meadow Road. The remainder will be used to fund other measures across the city, primarily the New Generation Transport (NGT) system.
- 10.39 A car park management plan (CPMP) has been agreed that ensures appropriate management of the MSCP that serves the development. This document ensures parking is allocated in accordance with UDPR standards plus the delivery of car

sharing spaces and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation in accordance with UDPR allocations.

10.40 A master and residential travel plan commit to a number of measures in order to reduce car usage on the site. The travel plans measures have been calculated at costing a total of £1.25m and include a £240,000 public transport ticketing fund that will permit new occupiers/residents access to free or cheap public transport tickets.

10.41 The Highways Agency has been closely involved in the proposals and has agreed a Road Safety Audit that was carried out with respect to the M621 junction.

10.42 Sustainability and Biodiversity.

10.43 Sustainability and biodiversity statements are included within the design code that highlights the aspirations of the scheme and how the scheme can respond to issues at reserved matters stage. Reference is made to the developers intention to achieve a minimum of BREEAM very good and Code for Sustainable Homes Level 3. It is intended to naturally ventilate the car park and examine the potential for green roofs and to deliver greater than 10% of the site energy from renewable sources. Conditions will require further details regarding the sustainability measures for each of the reserved matters submissions.

10.44 Section 106

10.45 Heads of terms for the S106 have been agreed and work on the draft document is at an advanced stage. The S106 will have clauses to cover the following:

- Public transport contribution of £1,101, 310 in accordance with SPD5.
- Education contribution (equating to £2980.42 for each 3+ bed dwelling if more than fifty 3 bed dwellings are provided).
- Securing the travel plan, car club contribution and travel plan monitoring fee.
- Penalties (including financial) if the travel plan targets are not met.
- Delivery of 5% affordable housing (or the percentage required by the affordable housing policy adopted at the time).
- Public access arrangements to ensure 24 hour access is provided through the site.
- Securing the car park management plan.
- £20,000 on-street car parking mitigation fund if it is found that the development creates on-street parking problems in nearby streets.
- £6,000 for each of the pay and display parking bays removed from Trent Street, Bowling Green Terrace and Jack Lane (54 spaces = £324,000).
- Ability to submit a viability appraisal if the developer believes the scheme and current contributions to be unviable.
- Training and employment initiatives to ensure local people are involved in the delivery of the scheme.
- Management fee for each clause.

10.46 The S106 includes a clause permitting the developer to submit a viability appraisal. If at any time during the phased development of this site the developer is unable to meet the full provisions of the S106, they may submit a viability statement for assessment. If the Council agrees the scheme is not viable it may agree a reduction in the provisions of the S106 for that phase.

10.47 The matters highlighted above have been considered against the current Community Infrastructure Levy (CIL) 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 This site benefits from previous major outline proposals and the principles established by those consents and examined in detail throughout the application process are carried through to the final scheme. As this is a large site and a speculative development the scheme is extremely flexible but still incorporates significant controls to ensure an attractive scheme that enhances the existing urban grain and urban form of this part of the city centre. There are major gains from the proposed scheme as a result of both the temporary works carried out during the phased delivery and the completed scheme and the development delivers significant gains in terms of connectivity, public art, enhancements to the local highway network.

12.1 Background Papers:

12.2 Application file 10/00923/OT and history files 20/476/02/OT and 20/517/04/OT.

12.3 Certificate of Ownership signed on behalf of the applicant and notice served on the owner of the electricity substation.

10/00923/OT - APPENDIX 1

(To be submitted as late item)

Appendix 2

Plans Panel City Centre 1st July 2010 Minutes - Application 10/00923/OT - Redevelopment of land at Meadow Road for uses within the following classes: B1, D2, C1, C3 (up to 296 residential units) and ancillary A1, A3, A4 and A5 uses including associated works for the formation of site access roads at land bounded by Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street LS11

(Prior to considering this matter, Councillor Blackburn left the meeting)

Plans, photographs, drawings and precedent images were displayed at the meeting

Members considered a position statement by the Chief Planning Officer setting out the latest proposals for a major mixed-use development on the site known as 'City One' at Sweet Street and Meadow Road. Members noted that the site had benefited from previous major outline consents in 2004 and 2006 so the principle of a major development on this site had been established

When the outline application was submitted, approval would be sought only for the principle of development and access

Details of the parameters for the site layout and building heights were provided with Members being informed that there was flexibility within the site as to where the different uses would be located

In respect of highways issues, the Panel's Highways representative stated that the scheme would contain a large amount of car parking and would generate a significant amount of movement, however the aim was to retain the central area free of vehicles by locating an area of public open space at the heart of the development and enabling pedestrian movement around the site

The intention was to create a few vehicular access points, including extending Bowling Green Terrace to Sweet Street

The site would provide 1500 car parking spaces, with 1100 in the proposed multi-storey car park and 400 basement parking spaces underneath the various blocks

It was felt that there were a number of choices of exit route which would help to spread the load on the highway network. Furthermore several improvements were proposed which would also assist in this, these being the widening of Meadow Road to provide 3 full width lanes of traffic; widening of the junction at Jack Lane and improvements to the slip road off the motorway, although traffic modelling was still being undertaken on these proposals

As the previous scheme had included a casino on the site which would have generated a greater amount of traffic later on in the day, the traffic generated by the proposed development would occur more at peak times and a strong travel plan would be required. Increased pedestrian connectivity would be provided. Improvements being considered included a zebra crossing at the mini roundabout on Sweet Street; possible improvements to the crossing at Manor Road and provision of two central refuges at Jack Lane

Increased cycling facilities were being considered as the applicant had offered to widen the footway along the Meadow Road frontage to provide a segregated cycle track and footway and to provide a Toucan crossing across the mouth of Jack Lane; also cycle routes would be developed into the site

Members were informed that a range of supporting plans and documents had been submitted; that there would be 8 different areas of green space on the site equating to 29.1% public open space and it was felt that the policy requirements would be met

The development would be phased with the influencing factor being future market forces, although with each building which was constructed an area of quality open space would be provided

Members commented on the following matters:

- the maximum and minimum distance and heights which had been shown and whether these would be tweaked to reach a totality
- that there was so much difference in the parameters that a clear picture could not be obtained
- the view that the offices would probably be built first which would create highways problems from day one
- the need to understand how people would travel to the site by car, public transport and walking. There was concern that people driving to the site would add to congestion generally of the roads into the city
- the likely number of people on the site; the targets to be achieved in the travel plan and whether penalties would be considered if targets were not met
- whether a shuttle bus would be provided from the city centre to the site
- that the area had been segregated from the city centre for some time and that this situation should be reversed but that the real opportunity to create an interaction between old and new did not appear to have been taken. An example of this was the proposed park; that it looked inwards and was geared towards the people living and working on the site rather than welcoming those from the nearby communities, with concerns at the emergence of two cities, with a rigid boundary at the M621 and that it was important to create opportunities and access rather than walls
- that the proposals were a positive attempt to address the needs of the area and links with the communities of Beeston and Holbeck were essential
- that larger and more open areas of green space, particularly at the front of the site should be considered through closer siting of the buildings
- that the badly designed pedestrian routes within City Walk should not be replicated on this site
- that the site being so close to the motorway was likely to increase the number of people using cars to access the site
- the level of consultation about the proposals which had been undertaken in the Beeston and Holbeck areas and whether groups representing people with disabilities had been consulted about their requirements for the site
- the need for the layout to be discussed with disabled groups and the need for changing places toilets to be provided
- the importance of approaching the Area Committees for comments on the proposals

Officers provided the following responses:

- that the quantum of development was depicted on the plans displayed at the meeting but that not all of the buildings would be built to the maximum or minimum levels
- that there could be around 4800 employees within the office buildings with the potential at peak hours of 1000 people walking to and from the city centre at peak times
- that the annual travel to work survey of participating businesses across Leeds of people arriving at work by various methods suggested that a target split of 32% arriving by car was reasonably achievable and that incentives for alternative transport methods would be provided eg metrocards and cycling provision
- in terms of penalties if the approved travel plan was not reaching its targets, a fund would be set aside to identify why people were not changing their travel methods to the site with a pot of money being available to provide what was needed
- that a presentation of the proposals had taken place in the Civic Hall Ante Chamber; that letters had been sent to local businesses and that Officers had met with Leeds Civic Trust. In terms of local consultation Officers stated they were not aware of any having taken place

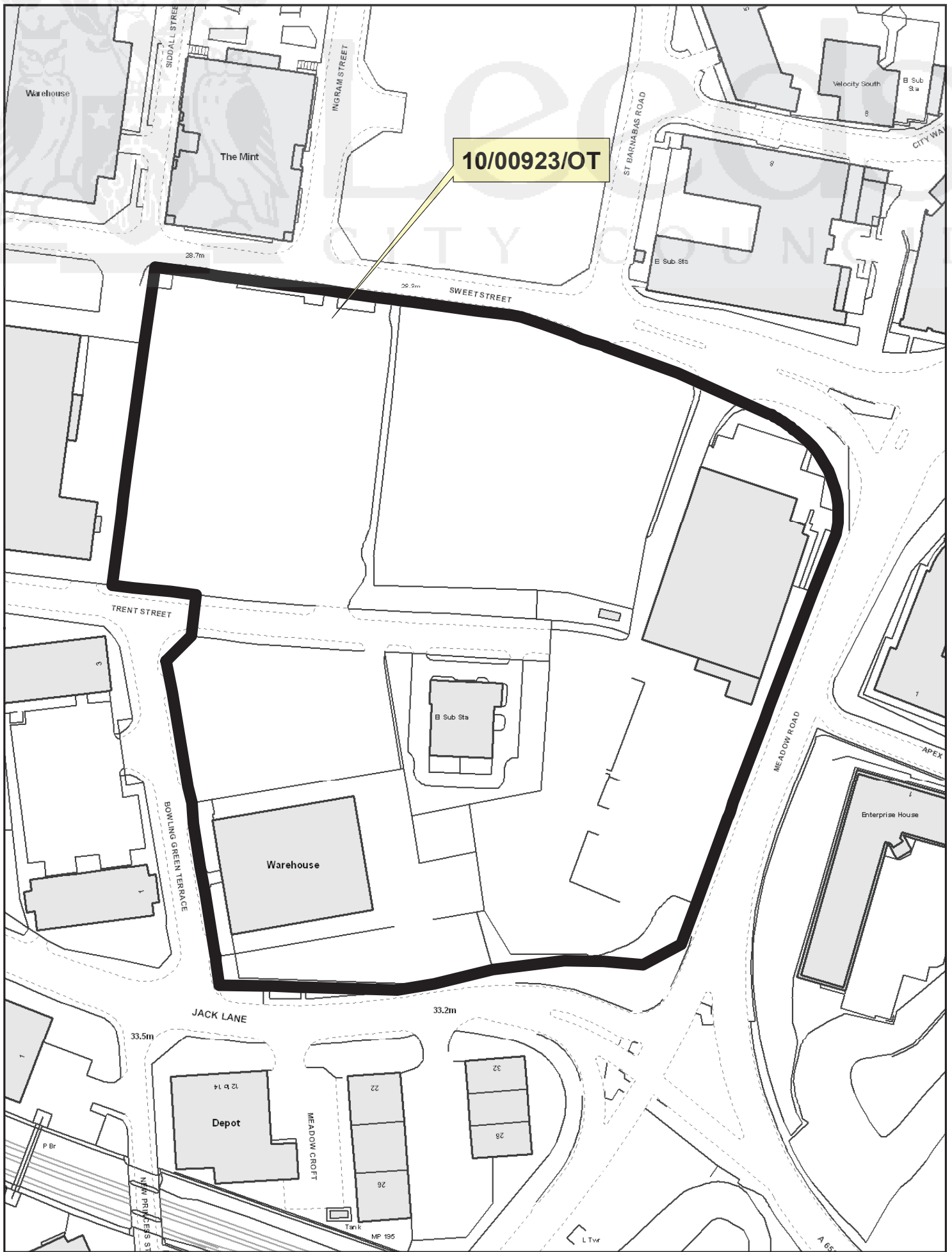
- that the Council's Access Officer had been consulted but that more detailed comments would be sought at the Reserved Matters stage

A summary of issues which required further information to be provided was made, these being:

- a need to understand the highways implications for the site
- the need for a green travel plan that Members could sign up to and which contained clear targets
- further information on the maximum and minimum figures and the need for a better understanding of this
- the need for a phasing plan to be provided
- further details on the public space to be provided and where this would be sited
- the need for more local consultation with surrounding communities to the site
- the need for the applicant to indicate how local people would be encouraged to find work both during the construction phase and beyond

RESOLVED - To the note the report and the comments now made

(During consideration of this matter Councillors Grahame, Latty and Nash left the meeting)



10/00923/OT

CITY CENTRE PLANS PANEL

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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30th August 2012

Subject: APPLICATION 11/04987/FU – TWO STOREY AND SINGLE STOREY SIDE EXTENSION TO FORM ENLARGED MUSIC VENUE WITH ROOF BAR AND TERRACE OVER AT THE FAVERSHAM, 1-5 SPRINGFIELD MOUNT, WOODHOUSE, LEEDS, LS2 9NG

APPLICANT	DATE VALID	TARGET DATE
Sound Trading – Mr S Allison	24/2/12	20/4/12

<p>Electoral Wards Affected:</p> <p>Hyde Park and Woodhouse</p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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RECOMMENDATION: GRANT PERMISSION subject to the conditions and reason for approval set out in Appendix 1 (and any others which might be considered appropriate)

1.0 INTRODUCTION:

1.0 An extension to the Faversham public house is proposed to create a purpose built music venue. A number of objections have been submitted regarding the application including objection from Cllr Harper and the Little Woodhouse Community Association. Due to the sensitive nature of the application and level of objection the application is presented to Panel for determination.

2.0 PROPOSAL:

2.1 An extension to the Faversham is proposed to create a purpose built venue capable of accommodating the music, wedding, parties and other events currently held within the existing building. This purpose built venue will allow the applicant to return the existing building to a traditional pub.

- 2.2 The existing extension, conservatory, raised decking and triple garage will be removed to accommodate the extension. The extension is part single storey part two storey with a flat roof to the majority of the single storey extension that will provide a terrace area. The ground floor includes bars and function space with stage plus back of house and toilet facilities. There is also an enclosed courtyard that acts as the smoking area that will include cycle parking. The two storey element includes another bar that provides access out onto the roof terrace. The overall increase in A4 premises is 629m².
- 2.3 The single storey element of the extension is proposed to be finished in red brick to match the existing building with the upper levels being faced in a dark slate cladding. The plinth is in a darker red brick with the limited window and door openings being dark grey polyester powder coated aluminium. The extension is connected to the existing building by a single storey glazed link.
- 2.4 A small extension to the opposite, northern, side of the building is also removed and the original entrance door reinstated that will provide access into the pub.
- 2.5 The site layout is amended to accommodate the extension and appropriate servicing. Parking is reduced from 49 spaces to 27 but with two disabled spaces added and both short and long stay cycle parking. Existing trees are retained and three new trees planted.
- 2.6 The proposed hours of opening reflect the existing license for the Faversham, 1100-0630 Monday to Friday, 1100-0930 Saturday and 1100-0630 on Sundays and Bank Holidays. The Faversham currently opens during these hours.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to the Faversham public house on Springfield Mount. The site can also be accessed from Hyde Terrace to the southwest. The site is located adjacent to the Education Quarter and within the Woodhouse – Clarendon Road Conservation Area. The surrounding area includes University, hospital and residential premises and the Covance medical testing facility immediately adjacent. There are listed buildings in the vicinity of the site including Springfield House (part of the Covance facility), the E.C. Stoner building across Springfield Mount and a number of properties on Hyde Terrace (all grade II listed).
- 3.2 The Faversham operates as a pub but also hosts a significant number of music concerts plus other events such as weddings, art exhibits and parties. The current license permits opening hours of 1100-0630 Monday to Thursday, 1100-0930 Friday and Saturday and 1100-0630 on Sundays.
- 3.3 There is an area of green space within the car park and a number of mature trees.
- 3.4 Much of the existing parking on site is contracted out to other businesses for long stay parking, enforcement action is being sought to remove these contract spaces.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 There are no planning applications on the site since 1991. All current extensions and alterations to the Faversham relate to planning applications approved prior to 1991.

4.2 12/00634/UCU3: Ongoing enforcement case investigating the contract parking at the site.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Pre-application discussions commenced in March 2010. Planning, conservation and design officers were involved in pre-app meetings prior to the application being submitted in February 2012. These meetings focused on the noise impact and design of the extension. One further design/conservation meeting took place after the application was submitted.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site notices were posted 9/3/12 and an advert placed in the Leeds weekly News 8/3/12. Letters of representation were received and are summarised below.

Response: All comments relating to noise and disturbance are addressed in the appraisal section below, responses are given to all other issues.

6.2 Cllr Gerry Harper objects to the proposal stating that the Faversham already causes noise and other disturbance to local residents.

6.3 Little Woodhouse Community Association (LCWA) object to the proposals and state the following:

- The Faversham is within the Cumulative Impact Policy Area 1 where guidance states license applications to increase or amend current licences should be refused. *Response: The application must be assessed against planning policy and not licensing policy.*
- The premise is within a conservation area. *Response: The proposal is considered to preserve the character of the conservation area as highlighted in the appraisal section below.*
- There are also mature students with young families in the area.
- Local residents will need triple glazing to prevent noise entering into their premises and there are particular concerns regarding the outdoor terrace.
- The increased footfall and vehicle movements will increase noise and potentially crime and disorder at the local highway and pedestrian routes.
- The applicant's assertion that there are good public transport connections in the area is not correct. *Response: The site is located close to the city centre in a highly accessible location and close to many of its patrons.*

6.4 A response submitted on behalf of the University of Leeds object to the proposals. There are 90 students and 25 young families living on Springfield Mount and around 650 students at Charles Morris Hall that would suffer from disturbance from the venue itself plus visitors coming and going. The University would object to any amendment to the premise license.

6.5 Covance, the clinical research unit adjacent to the Faversham object.

- There is already noise disturbance and the LCC Environmental Protection Team are monitoring this. There have been four registered disturbances this year (up to 20/4/12) between 12am and 6am. To increase the size of the venue would increase the potential for disturbance.
- Faversham patrons use the Covance site as a cut through sometimes urinating in the car park and vehicles have been damaged by bottles being thrown over the wall from the Faversham into the car park. *Response: The management plan to be agreed by condition will help address matters such*

as this. However, the applicant cannot control people once they have left the site.

- The Covance car park is used by taxis collecting from the Faversham that causes disturbance. This disturbance would be increased if the capacity is increased. *Response: The traffic management plan seeks to address this issue.*

6.6 Two letters of objection have been received from local residents.

- The proposal fails to preserve or enhance the conservation area as it appears discordant with windows that do not respect the existing. *Response: As discussed in the appraisal section below, the proposal is considered to respect the scale of the existing and preserves the character of the conservation area.*
- It will exacerbate the parking problems in the area. *Response: Sufficient parking is provided for the proposed uses.*
- The proposal would lead to more families leaving the area and the intensity of student occupation would increase contrary to the aims of policy H15. *Response: Amenity is to be protected and should be improved with regard to the current situation therefore it is not considered this application will cause families to leave the area. Policy H15 is not relevant to this application.*
- It would increase noise disturbance.
- The proposal would deter new families and residential developments in the area. *Response: See point above, this is not considered to be the case.*
- The noise assessment is insufficient.
- Even students do not want an increase in noise disturbance.
- The Faversham was originally two villas and was only converted to a hotel in the Twentieth Century.

7.0 CONSULTATIONS RESPONSES:

7.1 Non-statutory:

7.2 Highways: The Deliveries Management Plan and Travel Plan Statement are acceptable. The provision of 27 parking spaces is sufficient for the accommodation provided the contract spaces are removed.

7.3 Neighbourhoods and Housing: Complaints have been received regarding noise emanating from the premises and due to patrons outside/leaving the premises. There are no objections to the principle of the extension provided the measures recommended in the noise report including the noise testing is carried out. The outdoor terrace should not include any speakers and should not be used between 2100-1100. The smoking area must comply with relevant legislation. Conditions, primarily relating to noise control are recommended.

7.4 Access: Clarification was sought regarding the provision of disabled access through the existing building and extension. Following clarification of the disabled access arrangements (detailed in the appraisal section below) there is no objection from Access colleagues.

7.5 Licensing: A new premise license may be required. The site is located within Cumulative Impact Policy Area 1.

7.6 Contaminated Land: No objection subject to standard conditions.

7.7 Streetscene Services: It is unlikely the refuse collection will be altered.

7.8 Public Rights of Way: No PROW cross or abut the site.

7.9 Public Transport Contributions Officer: No contribution is required.

8.0 PLANNING POLICIES:

8.1 Regional Spatial Strategy (RSS): 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. There are no RSS policies of particular relevance; all issues are covered by the Leeds Unitary Development Plan Review (2006) (UDPR) policies identified below.

8.2 UDPR Designation: The site is within the defined City Centre boundary and Woodhouse - Clarendon Road Conservation Area.

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12: Sustainable design.

BC7: Use of local materials in Conservation Areas

BD6: Extensions and alterations should respect scale, form, detailing.

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

T2C: Travel Plans

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access within highway, paving schemes and new development.

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.

SA8: Promotes 'access for all'.

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.

N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

N26, LD1: Identifies requirements for landscape schemes.

8.3 Supplementary Planning Documents:

Little Woodhouse Neighbourhood Design Statement (2011) (LWNDS). The LWNDS identifies the Faversham as a 'building of interest' with the car park area identifies as a 'space in need of enhancement' and the rear elevation being a 'frontage in need of enhancement'.

8.4 National Planning Guidance:

The National Planning Policy Framework (NPPF) came into force on 27th March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved. The framework, which includes guidance regarding building a strong, competitive economy, ensuring the vitality of town centres, promoting sustainable transport, and conserving the historic environment, is a material consideration.

9.0 MAIN ISSUES

- Principle of development.
- Amenity.
- Visual amenity including the impact on the character of the conservation area.
- Highways issues.
- Access.

10.0 APPRAISAL

10.1 Principle of development

10.2 The site currently provides for a large A4 drinking establishment within the main building, conservatory and terrace area. The premises has long hours of opening (up to 0630 weekdays and 0930 at weekends) and regularly holds concerts, weddings and other large and late night events. On the basis of the current operations the principle of an extension to the existing premises is considered acceptable subject to detailed amenity and highway considerations examined below. The site is unallocated in the UDPR with the exception of its conservation area designation therefore there is no policy objection to the principle of development.

10.3 Amenity

10.4 As highlighted above, the Faversham currently operates long hours and acts as a venue for concerts, weddings and other similar events. It is fully accepted that the premises is located in a part-residential area that includes residential units to the immediate boundaries of the property. The proposed extension is intended to help reduce the impact on nearby properties by creating a purpose built venue with sound insulation provided to strict modern standards rather than continue to operate from an older building and glazed conservatory where sound insulation is more difficult to achieve.

10.5 Environmental health colleagues have considered the submitted noise report and have concluded that the proposal can be considered acceptable provided the recommendations contained within the report are carried out and sound testing takes place to achieve an agreed level prior to the venue opening. The noise mitigation measures highlighted in the report are outlined below.

10.6 The noise report recommends noise limiters are used in the existing pub that will only operate as a more traditional pub with lower levels of amplified music. Entrances doors should not be left ajar.

10.7 Secondary glazing is recommended to the ground floor function room with further solid wooden doors that close into the openings. The ceiling should be built off the walls with dense blockwork used and the internal blockwork should be painted rather than plastered to increase noise absorption. Recommendations are also made regarding the type of doors, materials used in entrance areas and that only one sound system should be used so the Faversham management can control the levels.

10.8 Timber baffles and a pitched roof are recommended to prevent significant noise spillage from the smoking courtyard at ground level. The pitched roof has already been incorporated into the design.

- 10.9 In the first floor bar, it is intended to have more relaxed music and the noise report recommends this to be no louder than figures identified in the report, noise limiters will be required to ensure this is achieved. Mitigation in the form of glazed screens and reflective back walls are identified as being possible for the outdoor terrace. However, the report states the noise control of this area will largely be down to the management control.
- 10.10 As stated above, the Environmental Health Officer has accepted the noise report and provided its recommendations are carried out and tested the application can be accepted. A detailed sound insulation condition will be added to the application to cover this issue.
- 10.11 The sound insulation condition will also require a full management plan to identify how the applicant will control patrons and taxis visiting the premises and using the outdoor terrace. Whereas there are no controls over this at present, it is understood the applicant does attempt to manage patrons and taxis to ensure disruption is kept to a minimum. It is felt a controlled management scheme agreed with the Council will allow for greater control of the site and an improvement in the level of amenity of adjacent premises.
- 10.12 The hours of use of the outdoor terrace will also be restricted by condition as requested from the Environmental Health Officer (EHO). The EHO recommends the terrace is not used between 2100-1100. However, preventing use between 2200-1100 is considered a more appropriate balance for ensuring amenity is protected whilst still permitting sufficient use of the terrace.
- 10.13 The proposed extension is sought to allow more order to be introduced to the operation of the Faversham by separating the concert/wedding function of the premises from the pub element. This will allow for both the existing and proposed buildings to be managed more appropriately and incorporate sound insulation to modern standards. There is no planning control over the existing premises therefore with the addition of appropriate conditions future operations at the Faversham can be fully controlled to ensure amenity is protected and improved.
- 10.14 The two-storey element of the proposal is adjacent to the side gable of the residential terrace building behind that only includes small windows that are believed to serve non-sensitive accommodation. The pitched roof adjacent to the garden area of the residential property slopes away from the residents and will have no greater impact than the sloping roof the existing triple garage. Due to the scale and form of the proposal it is considered there will be no overshadowing or overdominance.
- 10.15 Visual amenity including the impact on the character of the conservation area
- 10.16 The proposed extension has been subject to detailed scrutiny by design and conservation officers and is considered to be a simple and subservient addition to an attractive building. The proposal requires the removal of a mis-match of extension, conservatory and triple garage/store that are considered to detract from the main building and conservation area.
- 10.17 The new extension has its building line behind that of the main building with the ground and first floor ridge levels matching the existing. The ground floor of the extension will be in matching brick work with the external walls to the first floor hung with slate to respect that on the roof of the existing. Window frames will be in

aluminium, a material regularly used in the conservation area, and will be painted grey to match those on the existing.

- 10.18 The proposed extension has a simple design as determined by its function with a large flat roof and small pitched roof elements. The form allows the building to remain subservient to the main building whilst still portraying some of its characteristics including window proportions, pitched roofs and materials.
- 10.19 The contemporary appearance of the extension is considered to give a clear distinction between the two elements but with the lightweight glazed link providing a subtle connection. There are other contemporary buildings in the locality including large extensions recently approved by Panel on the adjacent site, 20-28 Hyde Terrace.
- 10.20 The removal of the extension at the northern end of the building and reinstatement of the original entrance to provide access to the pub is considered to be a positive step forward and will enhance the character of the conservation area.
- 10.21 The changes to the parking layout will remove a section of the grassed area. This area is not prominent in the conservation area and because there are new trees and shrub planting proposed and those existing trees retained and protected, this minor loss of greenspace is considered acceptable.
- 10.22 Highways issues
- 10.23 Highways have agreed a traffic management plan that identifies delivery hours between 0800-1200 and ensures all vehicles arrive and depart from Springfield Mount. Only taxis that have been pre-booked will be permitted to collect from the site and at busy events, taxis will be told to enter the site from Hyde Terrace and exit onto Springfield Mount to ensure patrons are collected quickly and therefore avoid excessive noise and disturbance within the site.
- 10.24 The parking on site is reduced from 49 spaces to 27. This level of parking in a sustainable central location is considered sufficient by highways officers for the level and type of accommodation provided. The site is within close proximity to the city centre and it is understood most patrons arrive on foot and do not require parking. Many of the existing spaces are unlawfully contracted out to local businesses and enforcement action is being sought to ensure these contracts cease and therefore ensure all the proposed 27 parking spaces are made available for the proposed use.
- 10.25 Access
- 10.26 Level access is provided into both the pub and venue space. To keep the height of the venue space to a minimum, it was not possible to maintain level access from the pub to the venue. However, as these spaces will operate independently patrons of the venue will have to enter from the main external entrance and level access between the two is not required. A lift is provided within the venue space to provide access to the upper level. Two disabled parking spaces are proposed in the car park. The Access officer has accepted the arrangements outlined above.

11.0 CONCLUSION

- 11.1 The proposed extension will create a purpose built venue space and therefore allow for greater control of the busy and late night activities that currently take place at the Faversham. This will benefit residents in the area as there is no planning control on

activities at the moment and new sound insulation and management control will help reduce disturbance. The extension is considered to respect the existing building and preserve the character of the conservation area whilst retaining sufficient parking for the proposed uses. The Faversham is a long established and popular venue and approving this application will ensure its continued success but in a controlled and managed way to ensure it is compatible with its neighbours.

Background Papers:

Application file 11/04987/FU.

Certificate of Ownership signed by the agent.

11/04987/FU - APPENDIX 1

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

- 3) Prior to the commencement of construction works, full details of the sound insulation measures to be incorporated into the construction of the extension shall be submitted to and agreed in writing by the Local Planning Authority. Such measures shall be designed to ensure noise from within the extension cannot be heard at the adjacent premises and include those recommended in the Environoise Noise Impact and Refurbishment Assessment dated 21/7/11 submitted with the application. The sound insulation measures as approved shall be fully implemented prior to first occupation of the extension and be retained and maintained thereafter.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 4) Prior to first occupation of the approved extension a noise management plan shall be submitted to and agreed in writing by the Local Planning Authority. The noise management plan shall highlight the measures the applicant will take to minimise noise and disturbance to nearby residents from patrons at the premises and when they arrive and leave the premises and shall include the following:
 - Details of how staff will actively manage the behaviour of patrons within the site including those in the smoking area and on the roof terrace.
 - Signage to be incorporated around the site requesting patrons leaving the premises are quiet in the surrounding streets and do not use the Covance site as a cut through.
 - Measures undertaken to control how taxis drop off and pick up from the site.
 - The level of music to be played within the existing pub.

The noise management plan shall be in operation at first occupation of the approved extension and be adhered to thereafter. Any alterations to the noise management plan shall be agreed in writing by the Local Planning Authority.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 5) Patrons shall not be allowed to use the first floor roof terrace between 2200 hours and 1100 hours on any days without the prior approval of the Local Planning Authority.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 6) The local planning authority shall be notified in writing immediately where unexpected significant contamination is encountered during any development works and operations in the affected part of the site shall cease.

Where remediation of unexpected significant contamination is considered by the Local Planning Authority to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of development on the affected part of the site. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

To enable the local planning authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be suitable for use in accordance with national and Leeds City Council's planning guidance.

- 7) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land

contamination in accordance with national and Leeds City Council's planning guidance.

- 8) Notwithstanding the details shown on the plans hereby approved and prior to the commencement of development, full details of the facilities for the parking of cycles within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the cycle parking facilities thereby approved have been provided. The facilities shall thereafter be retained and maintained as such.

In order to meet the aims of the Transport Policy as incorporated in the Leeds Unitary Development Plan.

- 9) Development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2 and Street Design Guide SPD (2009).

- 10) Unless otherwise agreed in writing by the Local Planning Authority, the approved Traffic Management Plan shall be implemented on first occupation and adhered to thereafter.

In the interests of highway safety and amenity in accordance with adopted UDPR policies T2 and GP5.

- 11) Upon first occupation of the approved extension the Travel Plan Statement shall be fully implemented and operated in accordance with the agreed details.

In the interests of encouraging transport other than single car occupancy in accordance with sustainable transport principles and adopted Leeds UDP Review (2006) policy T2C

- 12) Prior to the construction of external materials, full details and/or samples of all external facing materials (including walls, roofs, railings, windows, doors) shall be submitted to and approved in writing by the Local Planning Authority. The approved extension shall be constructed from the agreed materials and shall be retained and maintained as such thereafter.

In the interests of visual amenity and the preservation of the character of the conservation area in accordance with adopted UDPR policies GP5, BC7, BD6 and N19.

- 13) The parking at the site shall only be used by staff working at and visitors to those businesses operating from the site.

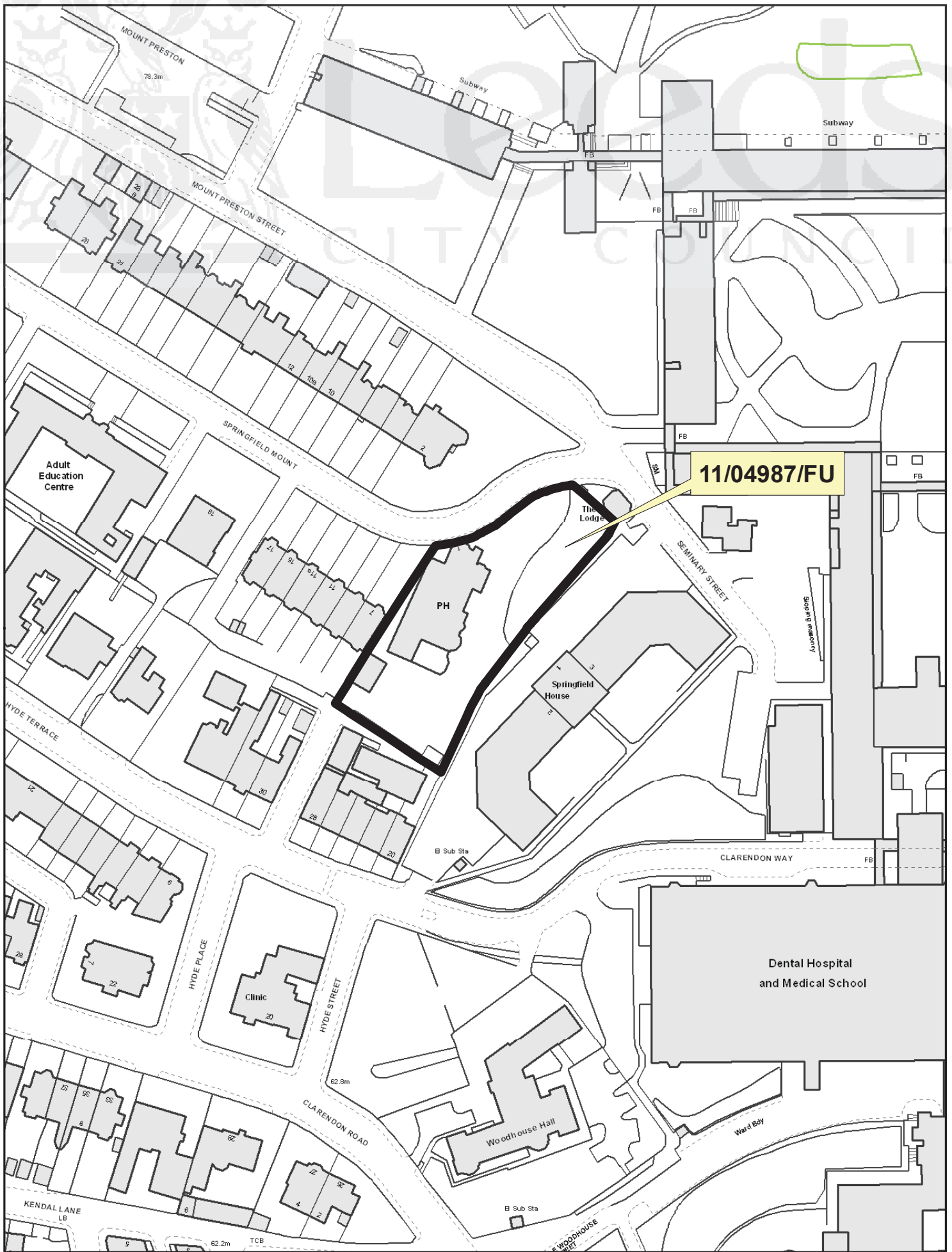
In the interests of highway safety and to accord with adopted UDPR policies T2 and T24.

Reason for Approval

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, GP11, GP12, BC7, BD6, T2, T2C, N19, A4, T6, T5, T24, SA8, SA9, SP8, N12, N13, N26, LD1.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.



CITY CENTRE PLANS PANEL



Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30 August 2012

Subject: APPLICATIONS 11/05399/FU - Six storey and four storey building comprising 27 flats with undercroft car parking and 11/05448/CA - Conservation Area application to demolish vacant college building, at Leeds College Of Technology, East Street, Leeds, LS9 8DP.

APPLICANT	DATE VALID	TARGET DATE
East Street Properties Ltd – Mr M Nicholls	23 and 30 December 2011	17 February 2012 and 30 March 2012

Electoral Wards Affected:

Burmantofts & Richmond Hill

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

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

- Affordable Housing provision of 2 units with one being submarket and one being social rented.**

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.

11/05399/FU Conditions

1. Time Limit (3 years)
2. List of plans to be approved
3. Samples of all external walling and roofing materials.
4. A sample panel of materials to be made available on site

5. Samples of all surfacing materials
6. Detailed 1:20 scale working drawings shall be submitted including cross sections
 - a) all windows and doors, b) junctions of materials between the main building and the circulation core
7. No construction to take place before the hours of 07.30 hours on weekdays and 08.30 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays and no construction to take place on Sundays or Bank Holidays.
8. Requirement for submission of details of any air conditioning systems.
9. Requirement for submission of a waste and recycling management strategy
10. Details of any lighting scheme
11. Requirement for submission of a scheme detailing surface water drainage works
12. Requirement for submission of details of the landscaping scheme
13. Implementation of landscaping scheme
14. Requirement for submission of a landscaping management plan
15. Details of existing and proposed ground levels
16. Suppression of dust generated by vehicles on roads, haul routes and circulation areas within the site during construction
17. Means of enabling mud and grit to be removed from the wheels, tyres and underside of vehicles during construction.
18. Details of laying out, drainage, surfacing and sealing of areas to be used by vehicles
19. 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 Code for Sustainable Homes assessment
20. Submission of details of the characterisation of contamination and site ground conditions.
21. Submission of a Phase I Desk Study in respect of land contamination.
22. Notification of any significant unexpected contamination.
23. Works to be carried out in accordance with agreed Remediation Statement.
24. Submission of details of the proposed methodology to measure air quality in the vicinity of the development.

Conditions 3, 4, 5, 6, 7, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23 and 24 are provided in full in the Appendix 1.

11/05448/CA Conditions

1. Time Limit (3 years)
2. List of plans to be approved
3. Details of contract for redevelopment

Condition 3 is provided in full in the Appendix 1

Reasons for approval:

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework 2012 and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

A4, BD2, BD3, BD5, CC8, CC10, CC12, GP5, GP7, H4, N12, N13, N18A, N18B, N19, N23 and T24.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

1.1 The application was put before Members for determination at Plans Panel on 10 May 2012, and at a Plans Panel Design Workshop on 5 July 2012. In both instances Members made a number of comments which are detailed in Section 5.0 below. The application has been amended to respond to these comments and is now brought back to Plans Panel to allow Members to consider a major proposal within the setting of a listed building and a conservation area.

2.0 PROPOSAL:

2.1 The proposal is for the demolition of the existing vacant former college building, and the construction of a part six storey and part four storey building comprising 27 flats with a landscaped inner courtyard and undercroft car parking.

2.2 A number of documents have been submitted in support of this proposal and these are:

- Design and Access Statement.
- Scheme of Accommodation
- Flood Risk Assessment
- Stormwater Discharge Calculations
- Sustainability Statement
- Heritage Statement
- Utilities Statement
- Noise Report
- Ecological Survey Report
- Air Quality Assessment

3.0 SITE AND SURROUNDINGS:

3.1 The site is occupied by a 3 storey red brick, flat roofed 1940s building which was built as a veneer factory. Although now vacant the building's most recent use was a technical college. The building and the small areas of land within its boundary to the north and east are within the boundary of the Eastern Riverside Conservation Area. The site is within the Marsh Lane/Saxton Gardens Area 28 Proposals Area Statement as defined by Leeds Unitary Development Plan Review 2006. The site is adjacent to the Grade II listed buildings within the East Street Mills complex. In addition, to the south east across East Street sits the Grade II Listed Roberts Wharf buildings. Immediately to the north east of the site is a group of one and two storey red brick industrial buildings, which appear to be unused at present.

3.2 The surrounding area is populated by a variety of new development of varying heights, massing and design. There is a dominance of residential uses within many of these relatively recent schemes.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Planning approval was granted on the nearby site across Richmond Street known as Flax Place, for a part 5 and 9 storey block of 195 flats with ground floor retail unit and basement car parking on 11 November 2005, planning reference 20/408/04/FU. Whilst this scheme has not been implemented, a number of planning conditions have been discharged and some physical site access works have been undertaken.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The proposal has been the subject of detailed pre-application discussions between the Applicants, their Architects and Local Authority Officers since July 2011. These discussions have focused on the proposed use of the site and the merit of the justification for demolition of the existing building, the level of affordable housing required, the numbers of car parking spaces, the heights, form and scale of the building, details of the elevational design and materials, key views, pedestrian routes and connectivity and links to the wider area, the sustainability credentials of the proposal, and the proposed landscaping scheme.

- 5.2 The proposal was brought to Plans Panel for determination on 10 May 2012. Members made the following comments:

- There is a need for wheelie bins to be kept in a safe and permanent place and that details of this should be included as part of the relevant Condition/s.
- Clarification is required of the flood prevention measures in place.
- Concerns were raised regarding the use of obscure glazed windows and the alternatives in place and the need for letter boxes to be more accessible in all developments of this nature.
- Concerns were expressed that the quality of the design was not high, that the proposed building looked unattractive and bland with the proposed roof treatment a particular problem.
- Concerns were expressed that there was no commitment to specific sustainability design measures. It was requested that solar panels or other energy conservation measures were considered.
- Concerns were expressed that the scale of the proposed building would dominate the adjacent listed building.
- Concerns were expressed that the car parking was inadequate for three bedroom flats.
- Concerns were expressed that the building was too large in scale and that a re-drafting of the design was required. However this should not be at the expense of the proposed courtyard area.
- That there is a need for the developer to provide a workshop for Members around scale/quality of design issues.

- 5.3 The proposal was brought to a Plans Panel Design Workshop on 5 July 2012. Members made the following comments:

- Can the footprint of the central lobby/staircore be curved?
- Could the staircore be positioned more centrally in relation to the two wings?
- The staircore should be of a different material to the wings. Stone cladding is liked and would be supported.
- The building in its previous incarnation was dominant where it fronts onto East Street, not sure if just the redesign is enough without also addressing issue of height.

- There is a need to make the staircore tower a feature on the corner, a third entity.
- Would the outward facing balconies actually be used properly, would it be better to have balconies facing onto the courtyard? Need to understand the scale and materials of the balconies, and need to consider safety aspect if families with children are to live there. Can the balcony design deal with any noise issues? If the balconies were glass would this be in keeping? What sort of views are there from the balconies?
- The redesign is better. The tower treatment helps to break up the mass. The set back from East Street is an improvement provided it does not significantly reduce the size of the courtyard.
- There is a need to step the building adjacent to East Street Mills, take out one flat and drop the entire corner (stone cladding, roof and all dropped down one level)
- Can there be a noise barrier at the gap onto East Street?
- Is there opportunity to address traffic calming to ensure safety for children crossing to the nearby playground?
 - A signage zone for building name/lettering needs to be defined on plans.
 - The planting area to the back of footpath on Richmond Street and East Street need to be properly planted with green landscaping scheme of appropriate species that will thrive in this location and environment.
 - Members were generally supportive of the scale and massing, elevational treatments, design approach to the tower/staircore and balconies subject to the above comments

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The planning application was publicised via Site Notices posted on 20 January 2012 expiring on 10 February 2012 for a 'Major Development Which Affects the Setting of a Listed Building and the Character of a Conservation Area', and in the Leeds Weekly news edition printed the week of 26 January 2012.
- 6.2 The Conservation Area application was publicised via Site Notices posted on 20 January 2012 expiring on 10 February 2012 for a 'Notice of proposed demolition in a Conservation Area', and in the Leeds Weekly news edition printed the week of 26 January 2012.
- 6.3 One letter of objection received on 1 February 2012 from Leeds Civic Trust stating that the proposed new development is undistinguished and bland in design, and excessive in height given its position adjacent to the converted East Street Mills. They also state that if approved a condition should be applied to prevent demolition of the existing building until contracts for the construction of any new build have been secured.
Response: These comments will be addressed in the appraisal below.
- 6.4 One letter of comment received from Lupton Fawcett on behalf of their client, a freehold owner of part of the site, stating that their client has received the Notice No 1 advising them of the submission of the planning application. Their client wishes it to be made clear that they have not consented to the proposed development and state the Applicant did not contact them before the Notice No 1 was issued. In addition they state that the Applicant has no right to excavate, re-surface or carry out any other works on land in their client's ownership, and nor do they benefit from a right of way across their land.
Response: Under the Town and Country Planning Act 1990 (as amended) the Applicant is not required to have an interest in the land that is the subject of the

application. The only requirement is that the owners of the site are notified of the planning application, which has been fulfilled in this case. However, the grant of planning permission would not prejudice or override any third party ownership rights.

- 6.5 Ward Members consulted on 30 March 2012. Response received from one Member on 13 April 2012 stating that they support the project.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

- 7.2 Environment Agency state that the proposal falls outside matters which they wish to be consulted on and as such they have no comments to make.

- 7.3 Canal and River Trust state that they have no objections to the proposal.

- 7.4 Old Leeds Boundary Amenities Groups no response received from any amenity group.

7.5 Non-statutory:

- 7.6 West Yorkshire Archaeological Advisory Service no response received.

Highways stated that the amended scheme and the proposed refuse collection arrangements are acceptable.

- 7.8 Neighbourhoods and Housing state that there could be noise from any externally sited plant such as air conditioning, and as such this needs to be mitigated against. A noise report was submitted as part of the application providing details of how this could be mitigated against. Conditions are required covering hours of operation and compliance with current legislation on noise and dust control during construction, as well as details of any mechanical ventilation system and air conditioning system, sound insulation measures, waste and recycling facilities, and lighting.
Response: These matters will be conditioned accordingly.

- 7.9 West Yorkshire Ecology state that they have no biodiversity objections or comments to make.

- 7.10 Metro state that pedestrian access to and from bus stops should be good, and that they consider Metrocards should be provided to residents.
Response: The proposal will not adversely affect any of the existing level public footways around the site. The scale of the proposal, with only 27 residential units being proposed, means that there is no requirement for a Travel Plan or for a public transport infrastructure improvements contribution. This is because the scheme at such a scale is below the threshold for both. In addition, the site is close to the city centre and the existing bus and trains transport links. As such it is considered that it would not be reasonable to request Metrocards in this instance.

- 7.11 The Coal Authority state that there is no requirement to submit a Coal Mining Risk Assessment in this case.

8.0 PLANNING POLICIES:

- 8.1 The character of the Eastern Riverside Conservation Area is defined by surviving elements of its industrial heritage such as the former flax mills some of which are listed, the riverside setting and the important landmark of St Saviours Church as well as more random commercial and residential development.
- 8.2 As stated in Leeds Unitary Development Plan (UDPR) Marsh Lane/Saxton Gardens Area 28 Proposals Area Statement whilst a mix of uses is generally sought in the area, residential use would be acceptable to compliment the nearby existing housing at Saxton Gardens.
- 8.3 Development Plan – UDPR
 Policy A4 (Access for all)
 Policy BD2 (design and siting of new buildings)
 Policy BD3 (accessibility in new buildings)
 Policy BD5 (All new buildings)
 Policy CC8 (New buildings to respect the spatial character of existing buildings and streets outside the Prestige Development Areas)
 Policy CC10 (provision of public space)
 Policy CC12 (New development and new public spaces relating and connecting to the existing street pattern)
 Policy GP5 (all planning considerations)
 Policy GP7 (planning obligations)
 Policy H4 (unidentified residential development sites in the main and smaller urban areas)
 Policy N12 (Urban building design)
 Policy N13 (Design of all new buildings)
 Policy N18A (demolition of buildings in a conservation area)
 Policy N18B (Demolition not to take place in a conservation area until a contract for redevelopment has been let)
 Policy N19 (New buildings and extensions within or adjacent to a conservation area)
 Policy N23 (Space around new buildings)
 Policy T24 (Parking provision)

8.4 National Planning Policy

The National Planning Policy Framework 2012 (NPPF) was adopted in March 2012 and sets out the Government's planning policies and how they expect them to be applied.

Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Paragraphs 56 and 57 of the NPPF state that good design is a key aspect of sustainable development, is indivisible from good planning and contributes positively to making better places for people., and that design should be of a high quality and inclusive.

Paragraph 60 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes, and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

Paragraph 126 of the NPPF states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness. Conservation Areas are deemed to be heritage assets and the NPPF states that where a development proposal will lead to less than substantial harm to a heritage asset, this harm should be weighed against the public benefit of the proposal, including securing its optimum viable use.

8.5 Supplementary Planning Guidance

Leeds – City Centre Urban Design Strategy (CCUDS): Improving Our Streets, Spaces and Buildings (urban design principles based on the distinctive qualities of Leeds City Centre).

Leeds Interim Affordable Housing Policy 2011.

Sustainable Design and Construction Supplementary Planning Document (August 2011).

9.0 **MAIN ISSUES:**

1. The principles of the proposed use
2. Demolition and the merit of the existing building
3. The impact on the character and visual amenity of the street scene and wider conservation area
4. Residential amenity
5. Vehicle parking provision
6. Landscaping
7. Sustainability
8. Section 106 Legal Agreement – Heads of Terms

10.0 **APPRAISAL:**

10.1 The principles of the proposed use

10.2 The proposed use of the building is as 27 three bed residential units. The site lies within the Marsh Lane/Saxton Gardens Area 28 Proposals Area Statement, as defined by Leeds Unitary Development Plan Review 2006 (UDPR), where residential use is considered to be appropriate.

10.3 There are a number of other existing and proposed residential developments in the immediate and wider area offering a variety of sizes and types of residential units. Three bed accommodation is currently under-represented in this mix. Therefore, the proposal for 27 three bed units in this scheme is a welcome addition to the housing mix in this location. Of these 27 units, in line with policy, 2 units will be provided as affordable housing. As such the proposed use is considered to be appropriate and acceptable.

10.4 Demolition and the merit of existing building

10.5 Consideration has been given as to whether the proposed demolition of the former technical college building is acceptable, or whether the building has any significant architectural or historical merit. The building in question is not listed but does sit within the boundary of the Eastern Riverside Conservation Area.

- 10.6 The former technical college building, which was built circa the 1940s as a veneer factory, is a simple 3 storey red brick block. The building is modest in respect of its architectural detailing and utilitarian by design. It can not be considered to be architecturally or historically outstanding, or of particular importance in respect of recording an architectural style or era. As such, it can be argued that the building does not make any significant positive contribution to the character and appearance of the Eastern Riverside Conservation Area. Therefore, the demolition of this building, to allow the site to be redeveloped with a high quality scheme which would ensure a viable use of the site, is considered to be acceptable. As requested by Leeds Civic Trust it is recommended that the conservation area consent for the demolition of the existing building is conditioned to ensure that details of a contract including the start date and schedule of the redevelopment scheme for the site are submitted prior to any demolition taking place.
- 10.7 The impact on the character and visual amenity of the street scene and wider conservation area
- 10.8 The proposal is for a part six storey, part four storey residential block, providing 27 three bedroomed apartments, with a landscaped private courtyard above an undercroft parking area. The design has been refined in response to Members comments. It is still the case that the architectural approach is one of calmness, but more detail has been designed in to the scheme's appearance. The blocks have been visually detailed to break their mass with the use of string courses in the brick and stone work. The windows which retain their strong vertical emphasis, are framed and of a domestic scale, with defined cills and lintels. The circulation tower which joins the two arms of the building where they meet at the north-westerly corner, has been redesigned such that its positioning in relation to the blocks is more regular, and there are defined recesses to either side where it meets the arms of the residential wings. The roof of the tower has been pitched, and the windows are of a more domestic appearance, to better fit in with the character of the wider scheme and surrounding area.
- 10.9 The development now responds more appropriately to its location, on a corner site, in an area of a mixture of building styles, heights and scales. As such the scheme whilst contemporary in design, better emulates the architectural rhythms found in riverside warehouse buildings in the vicinity.
- 10.10 Concerns have been raised by Members and Leeds Civic Trust with regard to the height and appearance of the proposed development. In terms of the detailed design of the scheme, care has been taken to ensure that the scale and height of the scheme compliment those of the existing nearby buildings and the character of the wider street scene and Eastern Riverside Conservation Area. This is one of traditional warehouse buildings; however in more recent years a mix of residential developments and other modern mixed use developments, of varying scale, have been introduced. As a result of Member's comments the scheme has been revised. To take account of the fact that the immediate red brick East Street Mills buildings adjacent to the proposal are lower in height than the proposed scheme, being three and four storeys (although building heights do rise within the East Street Mills building complex to a maximum of six storeys), the proposed scheme now steps down a level at the corner adjacent to East Street Mills. This results in a more comfortable heights relationship between the two sites.

- 10.11 The development also steps down from six to four storeys as it moves from the street edge with Richmond Street back into the site southward. In relation to the existing unused industrial buildings to the north the development is set some 7 metres from these buildings which are in an elevated position on Richmond Street. In addition, the heights of other buildings in the surrounding area are also comparable with the proposed part four storey, part six storey blocks, and in some cases exceed the heights proposed in this scheme.
- 10.12 In terms of materials the proposal is to use a red brick, to echo the character of the existing warehouse type buildings in the vicinity, with natural stone cladding to the tower and upper level of the blocks, detailed with horizontal coursing to add visual interest to the building. The plinths, string courses, cills and lintels would be Artstone of a colour to match, or blend with, the natural stone. The roof would be pitched and tiled with natural slate of British origin. Frames to the windows and doors would be mid grey toned, powder coated aluminum (or due to its strength and high insulating properties, possibly powder coated fiberglass). Other sites within the vicinity have been identified as being appropriate for 'iconic' buildings (e.g. The Gateway). However sites such as the one for this current proposal are seen as locations for schemes which, whilst being of a high quality and being well designed in their own right, will compliment the iconic buildings and their settings. As a result this modest, calm palette of materials will allow the building to have a contemporary finish which respects the context in which it would be located. Therefore, the proposal would, with regard to character and appearance, sit comfortably in the streetscene and wider conservation area.
- 10.13 Residential Amenity
- 10.14 The adjacent East Street Mills has a number of planning consents for residential and office uses across its complex. Some works have been completed however the complex remains partly unoccupied. East Street Mills is set to the south of the proposed development site and as such there would be no significant overshadowing from the proposal. The East Street block of the proposed development is the closest to the adjacent East Street Mills buildings. The corner at the end of this proposed block would be approximately 2 metres (where blank walls face each other) splaying out to along the block end to a distance of some 12 metres from the side wall of the East Street building where both schemes are closest to East Street. Whilst windows are proposed in the end elevation, they would be some 6 to 8 metres from a splayed blank section of walling of the adjacent part of East Street Mills.
- 10.15 Windows are proposed in the other end elevation of the development which would be some 9 metres from the adjacent East Street Mills scheme. The East Street Mills building facing this proposed end wall has windows, however these are for stairs and passageways, rather than for residential rooms. In addition this part of the proposed development being four storeys, would be of a similar height to this particular adjacent East Street Mills building. As a result, there would no issues of overlooking, loss of light or over-bearance, and this 9 metres distance is considered to be acceptable.
- 10.16 Elsewhere the proposal would be approximately 21 metres from the adjacent occupied development to the east and a minimum of some 22.5 metres from the nearest buildings in the adjacent complex to the south. These distances are generally considered to be acceptable for developments within City Centre and

edge of City Centre locations. As such there would be no issues of overbearance or overlooking.

10.17 Whilst the approved scheme on the nearby Flax Place site, across Richmond Street has yet to come forward, it is important to safeguard future residential amenity for all potential occupants. The distance from the windows of the proposed development to the proposed facing elevation of the Flax Place scheme would be approximately 20 metres. Therefore, the scheme would not result in a loss of privacy or overbearance of this potential adjacent development. The proposal would be sited to the south-west of the Flax Place, however the distances between the two schemes would ensure that any overshadowing was minimal and not of any significance.

10.18 Other existing residential dwellings in the vicinity are set further away from the proposal site than the two schemes mentioned above, with the existing buildings across East Street being at least 35 metres away. As such there are no significant issues with regard to the residential amenity of proposed and nearby existing and future occupants.

10.19 Vehicle parking provision

10.20 The proposal includes basement parking providing 19 car parking spaces (including 2 disabled spaces), 3 motorcycle parking spaces and 28 bicycle parking spaces in a secure cycle storage area. The site is close to the city centre and the bus and train stations are within walking distance. In addition the levels of parking are in line with the guidelines laid down for parking provision in the UDP. As such the parking provision level for all three vehicle modes is considered to be acceptable.

10.21 Landscaping

10.22 The principal area to be landscaped would be a newly formed central courtyard. This would cover approximately one quarter of the gross area of the site. The landscaped courtyard would be sited above the basement car parking area and would be laid out as a private amenity space for residents of the development. As such a scheme of hard and soft landscaping would come forward with the details of layout, species, and specification being controlled via planning condition.

10.23 In addition, following comments from Members and as a result of changes to the footprint of the building, it will now be possible to provide a considerably wider band of defensible landscaped space (previously approximately 1.6 metres and now approximately 4.5 metres at its widest point) along the base of the building to East Street. Due to the pavement width on the Richmond Street site the defensible landscaped strip would remain at 1.6 metres to this side of the development. Here planting would assist to provide a level of privacy for occupiers of the lowest layer of apartments, as well as helping to provide visual interest to the elevations and soften the face of the building where it meets the pedestrian footways. The details of this planting strip will also be address via planning conditions.

10.24 Sustainability

10.25 The submitted Sustainability Statement indicates that the proposal is intended to achieve Level 3 of the Code for Sustainable Homes via economic, social and environmental objectives including;

- Improving the overall quality of housing

- Increased social inclusion and community participation
- Increasing the quantity and quality of greenspaces
- Minimising the pressure on Greenfield land by reuse of Brownfield site
- Examination of the use of renewables such as ground source heat pumps, solar thermal, solar photo-voltaics or combined heat and power
- High standards of insulation to the residential units
- Possible use of powder coated fiberglass to window and door frames due to its high strength, rot and corrosion resistance and insulating properties.
- The matter of sustainable measures will be conditioned to ensure the optimum and most appropriate measures are introduced into the scheme.

10.26 Section 106 Legal Agreement – Heads of Terms

A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that 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

10.27 A Section 106 Legal Agreement including obligations to secure the following requirements has been proposed:

- affordable housing provision of 2 units with one being submarket and one being social rented. This would be in line with the 5% requirement detailed in the Interim Affordable Housing Policy 2011. This interim policy states that in City Centre locations a 5% affordable housing provision will be required of all residential schemes of 15 units and over, to be implemented within 2 years.

10.28 The proposed obligation has been considered against the legal tests and is considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. Accordingly this can be taken into account in any decision to grant planning permission for the proposals.

11.0 CONCLUSION:

11.1 In conclusion it is considered that the proposal is an appropriate use, scale, design and style for this site. The design of the 6 and 4 storey building would be a high quality appropriate addition, which would sit comfortably within the context of the surrounding area. Therefore, the proposal is recommended for approval.

Background Papers:

Planning Application 11/05399/FU
 Conservation Area Application 11/05448/CA

APPENDIX I

Planning Application 11/05399/FU Non Standard Conditions

- 3) No building works shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

In the interests of visual amenity and in accordance with UDPR Policies BD5, GP5, N12 and N13.

- 4) Construction of external walling shall not be commenced until a sample panel(s) of the external walling to be used has been constructed and approved in writing by the Local Planning Authority. The sample panel(s) shall be erected on site to establish its detail. The external walling shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the external walling harmonises with the character of the area and in accordance with UDPR Policies BD2, BD5, GP5, N12 and N13.

- 5) No building works shall take place until details and samples of all surfacing materials to the areas of hard standing have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity and in accordance with UDPR Policies BD2, BD5, GP5, N12 and N13.

- 6) Prior to commencement of development detailed 1:20 scale working drawings of the following features shall be submitted to and approved in writing by the Local Planning Authority:

- a) all windows and doors, and
- b) junctions of materials between the main building and the circulation core

Works shall be carried out in accordance with the approved drawings and maintained as such thereafter.

In the interests of visual amenity and in accordance with UDPR Policies BD2, BD5, GP5, N12 and N13.

- 7) During all construction phases of the development no operations shall take place before 07.30 hours on weekdays and 08.30 hours on Saturdays nor after 18.30 hours on weekdays and 13.00 on Saturdays, or at anytime on Sundays or Bank Holidays (unless agreed in writing with the Planning Local Authority).

The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the control of Pollution Act 1974. Relevant Codes of Practice, setting out procedures for dealing with the control of noise on construction and demolition sites, are contained in BS5228-2: 2009 - Noise and Vibration Control on Construction and Open Sites.

In the interests of residential amenity of occupants of nearby property and in accordance with UDPR Policy GP5.

- 12) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include (a) proposed finished levels and/or contours, (b) means of enclosure, (c) car parking layouts, (d) other vehicle and pedestrian access and circulation areas, (e) hard surfacing areas, (f) minor artefacts and structures (eg, furniture, play equipment, refuse or other storage units, signs, lighting etc.), (g) proposed and existing functional services above and below ground (eg. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include (h) planting plans, (i) written specifications (including cultivation and other operations associated with plant and grass establishment), (j) schedules of plants noting species, planting sizes and proposed numbers/densities, (k) implementation programme.

To ensure the provision of amenity afforded by appropriate landscape design and in accordance with UDPR Policies CC10, CC12, GP5 and N23.

- 13) Hard and soft landscaping works shall be carried out in accordance with the approved details prior to the occupation of any part of the development in accordance with the programme agreed with the Local Planning Authority and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure the provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals and UDPR Policies CC10, CC2, GP5 and N23.

- 14) No development shall take place until a plan, schedule and specification for landscape management has been submitted to, and approved in writing by, the Local Planning Authority. This shall include reference to planting and hard landscaped areas, including paving, fencing and other features. The schedule shall identify the frequency of operations for each type of landscape asset and reflect the enhanced maintenance requirement of planted areas during the establishment period. It shall provide for an annual inspection during late summer for any areas of failed tree or shrub planting, and the identification of the replacements required in the autumn planting season. If development is phased, maintenance shall commence when each phase of development is completed. Prior to planting, all landscaped areas shall be cultivated and maintained in a weed free condition by mechanical cultivation or chemical control. Maintenance shall be carried out thereafter in accordance with the approved management plan.

To ensure successful establishment and aftercare of the completed landscape scheme and in accordance with UDPR Policies CC10, CC12, GP5 and N23.

- 15) Prior to the commencement of development, plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths, parking areas and the height of any retaining walls within the development site shall be

submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be retained thereafter as such.

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity and in accordance with UDPR Policy GP5.

- 18) The development shall not be occupied or brought into use until that part of the site shown to be used by vehicles, on the approved plans, has been laid out, drained, surfaced and sealed, as approved, and that area shall not thereafter be used for any other purpose other than the vehicle related use approved.

In the interests of the free and safe use of the highway and in accordance with UDPR Policy GP5.

- 19) Prior to the commencement of development a 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 Code for Sustainable Homes assessment, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and

(a) Prior to the occupation of each phase of the development a post-construction review statement for that phase shall be submitted by the applicant and approved in writing by the Local Planning Authority

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

(c) The development shall aim to achieve Level 3, as a minimum of the Code for Sustainable Homes.

In the interests of amenity, to promote the use of recycled material and to promote the implementation of sustainability measures and in accordance with UDPR Policy GP5.

20. Development shall not commence until an intrusive investigation involving characterisation of contamination and site ground conditions has been undertaken in line with the document 'site investigation methodology by Sub Surface North East reference NE3095' and email from Harrison Pitt Architects dated 28 March 2012 and the report has been submitted to and approved in writing by the local planning authority. The site investigation report shall explain the methodology employed, an interpretative discussion of results and findings, a conceptual site model, a risk assessment and recommendations for further investigation/remediation, if necessary.

To ensure that the presence of land contamination at the site has been determined and that the environmental risks it presents have been assessed and in accordance with UDPR Policy GP5.

21. Development shall not commence until a Phase I Desk Study has been submitted to, and approved in writing by, the Local Planning Authority and:
- (a) Where the approved Phase I Desk Study indicates that intrusive investigation is necessary, development shall not commence until a Phase II Site Investigation

Report has been submitted to, and approved in writing by, the Local Planning Authority, (b) Where remediation measures are shown to be necessary in the Phase I/Phase II Reports and/or where soil or soil forming material is being imported to site, development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and the National Planning Policy Framework.

22. If remediation is unable to proceed in accordance with the approved Remediation Statement, or where significant unexpected contamination is encountered, the Local Planning Authority shall be notified in writing immediately and operations on the affected part of the site shall cease. An amended or new Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further remediation works which shall thereafter be carried out in accordance with the revised approved Statement.

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and the National Planning Policy Framework

23. Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all verification information has been approved in writing by the Local Planning Authority.

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

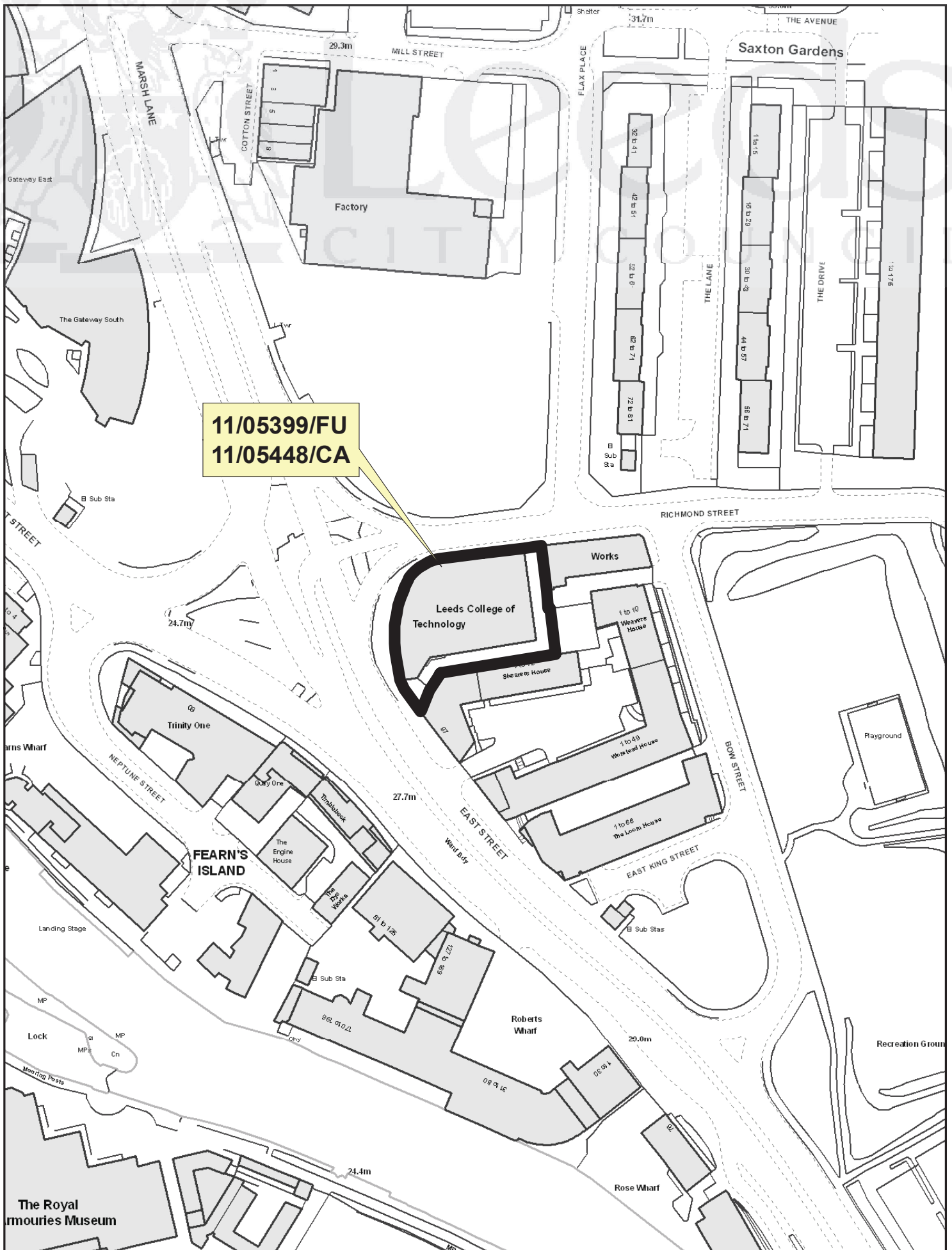
24. Prior to the commencement of development details of the proposed methodology to measure air quality in the vicinity of the development shall be submitted to and approved in writing by the Local Planning Authority. The study shall be undertaken in accordance with the agreed approach and the results submitted to the Local Planning Authority in accordance with the timescales agreed as part of the methodology. The conclusions of the study and, where necessary, any required mitigation within or in the vicinity of the development, shall be agreed in writing with the Local Planning Authority. The development shall not be occupied until any necessary mitigation has been completed, and such mitigation shall thereafter be retained and maintained. If, as a result of the air quality monitoring, it is necessary to declare the location as an Air Quality Management Area (AQMA) the agreed programme of air quality monitoring shall be extended to assess air quality until such time as the AQMA can be revoked.

In order to ensure that the occupants of the development benefit from acceptable air quality levels and, where appropriate to ensure further air quality monitoring and in accordance with UDPR Policy GP5.

Planning Application 11/05448/CA Non Standard Conditions

- 3) No demolition shall commence on site until a contract detailing the start date and schedule of the redevelopment scheme for the site, indicated on planning application 11/05399/FU has been submitted to and approved in writing by the Local Planning Authority.

In the interests of amenity and in accordance with UDPR Policy GP5 and N18B



11/05399/FU
11/05448/CA

CITY CENTRE PLANS PANEL



Originator: Andrew Windress

Tel: 2478000

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30th August 2012

Subject: PRE-APPLICATION - PREAPP/12/00278 – 223 BEDROOM STUDENT ACCOMMODATION DEVELOPMENT AT WOODHOUSE SQUARE, WOODHOUSE, LEEDS 3.

Electoral Wards Affected:

Hyde Park and Woodhouse

NO

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. The Developer will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 This pre-application proposal is brought to Panel as it is for a major development of over 200 student residential units within the Woodhouse Square Conservation Area. The site has previously had approval for a large residential development in 2006

2.0 SITE AND SURROUNDINGS:

2.1 The site operates as a short stay car park but formerly comprised of two school buildings and a play ground. The site is located on the fringes of the City Centre in a mixed use area with predominantly residential uses adjoining it to the north and west and predominantly business and institutional uses adjoining it to the south and east.

2.2 The site is located in the heart of the Woodhouse Square Conservation Area, to the western side of Woodhouse Square, which benefits from a heritage of predominantly Victorian buildings. There are also a number of listed buildings within the vicinity of the site including the adjoining Waverley House, and the nearby Swathmore College, both grade II. The site is within the Area of Housing Mix.

3.0 HISTORY OF NEGOTIATIONS

- 3.1 Officers first met with the applicant in September 2011. One further meeting took place in July 2012 with written communication taking place between these dates.
- 3.2 Application 20/147/05/FU was granted permission for 72 flats in three blocks on 26/4/06 after being accepted in principle at the 18/8/05 Panel. This application included a condition preventing student occupation. Application 07/07115/FU sought to remove this condition and therefore permit occupation by students. On 7/2/08 Panel overturned an officer recommendation to approve therefore the application was refused 3/3/08.
- 3.3 Application 12/02636/FU seeks approval for the continued use of the short stay car park originally approved for a temporary period of two years in May 2010.

4.0 PROPOSAL

- 4.1 It is proposed to erect a large student residential building up to six storeys in height. The building will provide 223 bed spaces and will not include car parking. The building will be finished in red brick with some stone detailing and glazed top floor. The windows are in a simple regular pattern and there will be brick boundary walls with railings on top. An area of amenity space is provided in the centre of the site.
- 4.3 As highlighted above, the application is located in the Area of Housing Mix as defined by the UDPR that seeks to encourage opportunities for the provision of purpose-built student housing in order to reduce the pressure on the rest of the housing stock. It does not resist student housing accommodation subject to the satisfaction of a number of criteria (see below). Through this policy it is hoped that pressure on conventional housing would be relieved.
- 4.4 The adopted H15 policy against which this proposal would be determined reads:

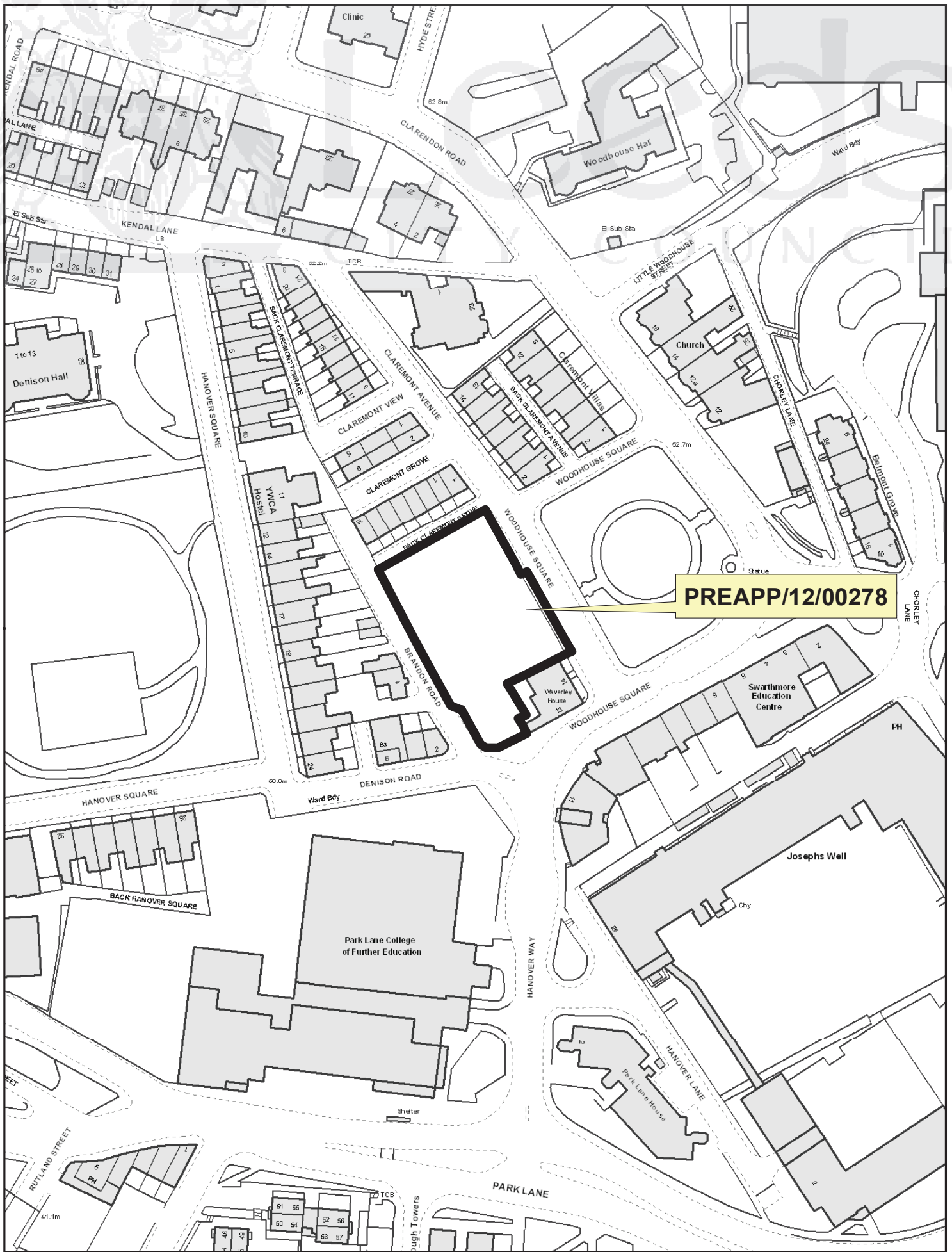
WITHIN THE AREA OF HOUSING MIX PLANNING PERMISSION WILL BE GRANTED FOR HOUSING INTENDED FOR OCCUPATION BY STUDENTS, OR FOR THE ALTERATION, EXTENSION OR REDEVELOPMENT OF ACCOMMODATION CURRENTLY SO OCCUPIED WHERE:

- i) The stock of housing accommodation, including that available for family occupation, is not reduced in terms of quantity and variety;*
- ii) There would be no unacceptable effects on neighbours living conditions through increased activity, either from the proposal itself or combined with existing similar accommodation;*
- iii) The scale and character of the proposal would be compatible with the surrounding area;*
- iv) Satisfactory provision would be made for car parking; and*
- v) The proposal would improve the quality or variety of the stock of student housing.*

5.0 ISSUES

Members are asked to consider the following matters:

- i. Do Members accept the principle of student housing on this site?
- ii. Do Members accept the principle of a car free scheme?
- iii. Is the scale, form and design of the building acceptable and its relationship with the adjacent listed building?



PREAPP/12/00278

CITY CENTRE PLANS PANEL

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Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30 August 2012

Subject: PRE-APPLICATION – Proposed Data Centre, Black Bull Street, South Bank, Leeds

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: This report is brought to Panel for information. The developer and his architect will be asked to present an emerging strategy for the site to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 This pre-application presentation relates to the former Yorkshire Chemicals site, Black Bull Street, South Bank, Leeds. The proposals will be presented to Panel by Yorkshire Design Group and their architects to allow Members to comment on the evolving scheme, and raise any issues.

2.0 SITE AND SURROUNDINGS:

2.1 The wider site is located to the east and west of Black Bull Street and comprises the former Yorkshire Chemicals site. It has a site area of approximately 3.14 hectares. The site consists primarily of two pieces of land, one between Chadwick Street and Black Bull Street and the other between Black Bull Street and Cudbear Street, bounded at the south by Hunslet Lane. There is also a small parcel of land to the west of Cudbear Street. Both Black Bull Street, which is three lanes southbound and Hunslet Lane, which is four lanes two way, form part of the strategic road network through the City Centre.

- 2.2 Yorkshire Design Group aim to bring forward the first phase of development on the northern part of the site to the west of Black Bull Street only, and this would form the boundary for their full planning application for a data centre.
- 2.2 The site lies unallocated within the designated City Centre in the Leeds Unitary Development Plan Review 2006. The surrounding area is a mixture of uses including residential, offices and retail, at Brewery Wharf, Indigo Blu, New Dock, Leeds City Office Park and Crown Point Retail Park. The conversion of the Grade II listed Alf Cooke Printworks to form a campus for Leeds City College is currently underway. The area was mainly commercial and industrial in nature, characterised by large impermeable single use sites, however recent developments from the 2000s such as Indigo Blu, New Dock and Brewery Wharf have increased the mix of uses and facilities in the area. Other nearby listed buildings are the Grade II* listed Chadwick Lodge, the Grade II listed 16-18 Crown Point Road/35-41 Hunslet Road former Tetley's buildings. Unlisted heritage assets in the area include the Crown Public House, former Tetley's malhousers, and Globe Iron Works on Crown Point Road, and The Malthouse on Chadwick Street.
- 2.3 The site lies adjacent to the area covered by the South Bank Planning Statement (see attached plan South Bank Urban Design Principles 1). It has a key role in contributing towards the economic growth of the City Centre on the south side of the River Aire. It also has potential to complement the Council and nearby landowner's aspirations for the City Centre Park, with new greened pedestrian and cycle routes linking across the area from Holbeck Urban Village to New Dock and beyond.
- 2.4 The site lies within the extension to the draft Aire Valley Area Action Plan. The role of the northern end of the Aire Valley, within the City Centre, will be geared towards the provision of some housing, but with significant provision of new workspaces and offices for growing digital and creative businesses. This will enable a clustering of similar industries on a number of nearby sites, such as the former Tetley Brewery, and reconfigured space at New Dock (see attached plan South Bank Development Progress June 2012).

3.0 PROPOSAL

- 3.1 The proposal is for a purpose built data centre used to house computer systems and associated components such as telecommunications and storage systems. It will allow businesses to rent secure IT storage space which minimises the chance of disruption to their business. The proposal seeks to take advantage of the industrial scale energy generating capacity which used to support the former manufacturing uses in the area and remains and the sites close proximity to the core fibre optic network and internet exchange hub which provides a direct link to Europe and America.
- 3.2 Yorkshire Design Group have prepared an illustrative masterplan for the wider 3.14 ha site, and a full scheme design for the data centre to be located on the northern part of the land to the west of Black Bull Street. The proposed data centre plot is also one of the most contaminated parts of the site, and its development for this less sensitive use, as a first phase, allows the site to be cleaned up in advance of more sensitive end uses being developed.
- 3.3 The wider site has potential for new digital and creative office workspace, leisure, residential uses, public realm and new pedestrian connections on the rest of the site. The applicant states that the sites close to the data centre will be very attractive to businesses looking for increased data connectivity. They state that a

data centre will be a catalyst for the creation of a new hub for high technology digital and creative media on the South Bank, and be a positive step for the City Centre's future economic competitiveness and growth in a national and international context.

- 3.4 This site is particularly important in forming east-west connections between the City Centre Park and New Dock, and officers have stressed to the new landowner the importance of an indicative masterplan for the rest of the site to give assurance that new green enhancements and connections will be made, on an interim and long term phased basis to achieve this synergy with adjoining sites.
- 3.5 The data centre site would be some 6570 square metres. The proposed building would be 32m in height, giving some 11664 square metres of floor area. The building would be accessed from Cudbear Street through a 34 space car park, with 4 disabled bays, 10 long stay cycle spaces, and short stay cycle parking. This would be enclosed on all sides. The building would be set back some 7m from the back edge of the footway to Black Bull Street, which would give a landscaped setting to the street. Meeting rooms and support staff office accommodation would be located around the edges of the floorplates, and the ground floor reception would be visible from Black Bull Street through a clear glazed link.
- 3.6 To the north and south of the building would be 7.5m landscaped pedestrian and cycle routes, which would form the first contributions towards a green network of routes between the future City Centre Park and New Dock. Similar routes are indicated on the illustrative masterplan for the eastern side of Black Bull Street.
- 3.7 There is potential for waste heat from the data centre to deliver a sustainable district energy system to serve nearby buildings, including any potential future housing scheme that may be delivered to the east of Black Bull Street.

4.0 HISTORY OF NEGOTIATIONS

- 4.1 Detailed discussions with the Council regarding this site have taken place since mid-2005 following the closure and subsequent demolition of Yorkshire Chemicals. This led to the submission of an outline planning application in 2006 (ref. 06/04601/OT), which was approved at Plans Panel in 2008, and subsequently granted permission in 2009 for a multi-level mixed use development comprising predominantly residential (678 flats and 43 townhouses), with office, hotel, leisure, retail, car showroom, community uses, public space and car parking. This permission expired in July 2012.
- 4.2 Previous site owners Gladedale and their professional team presented a pre-application residential scheme to Plans Panel on 22 December 2012, and subsequently submitted a new outline application for 252 residential units, including 150 townhouses, in February 2012 (application ref. 12/00653/OT). This application was withdrawn by Gladedale in June 2012.
- 4.3 Yorkshire Design Group have been engaged in discussions with planning, design and highways officers since June 2012 regarding an illustrative approach for the wider site, and a detailed proposal for a data centre.

5.0 ISSUES

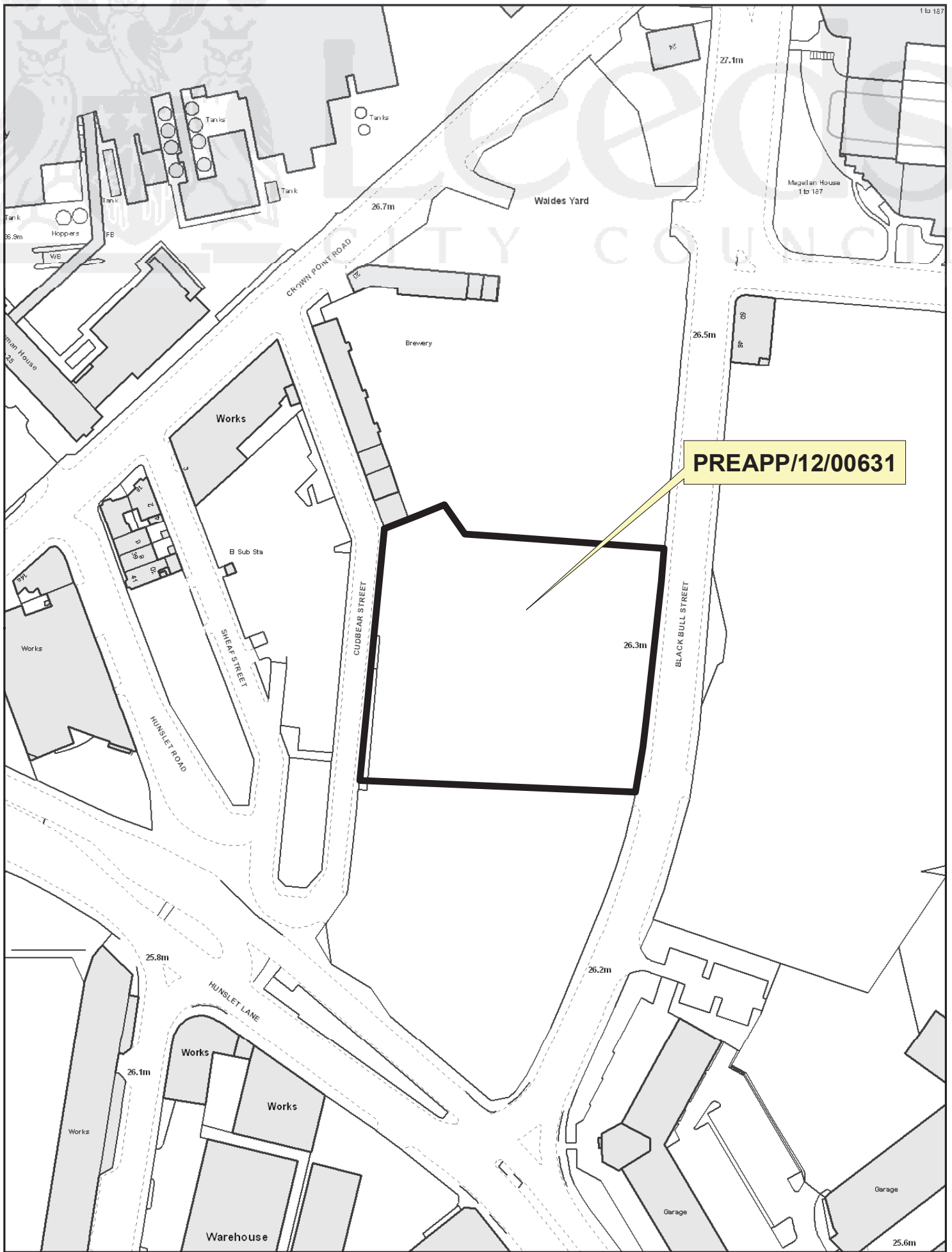
Members are asked to consider the following matters in particular:

- 5.1 Is the principle of locating a data centre building on part of this site appropriate, given the potential importance of such a facility to the City Centre economy, and as a catalyst for the regeneration of the South Bank?
- 5.2 Is the general approach to the illustrative masterplan right for the area and does it complement the City's vision for the South Bank and the City Centre Park by creating appropriate links and physical relationships to surrounding sites such as New Dock ?
- 5.3 Is the form and massing of the building appropriate given the existing context of Indigo Blu, Brewery Wharf and New Dock developments, and evolving indicative context of the South Bank?
- 5.4 Are the architectural detailing and materials proposed appropriate for the building and do they project a modern and forward-looking image of this part of the City?

Background Papers:

South Bank Planning Statement October 2011

Planning Application files 06/04601/OT & 12/00653/OT



CITY CENTRE PLANS PANEL

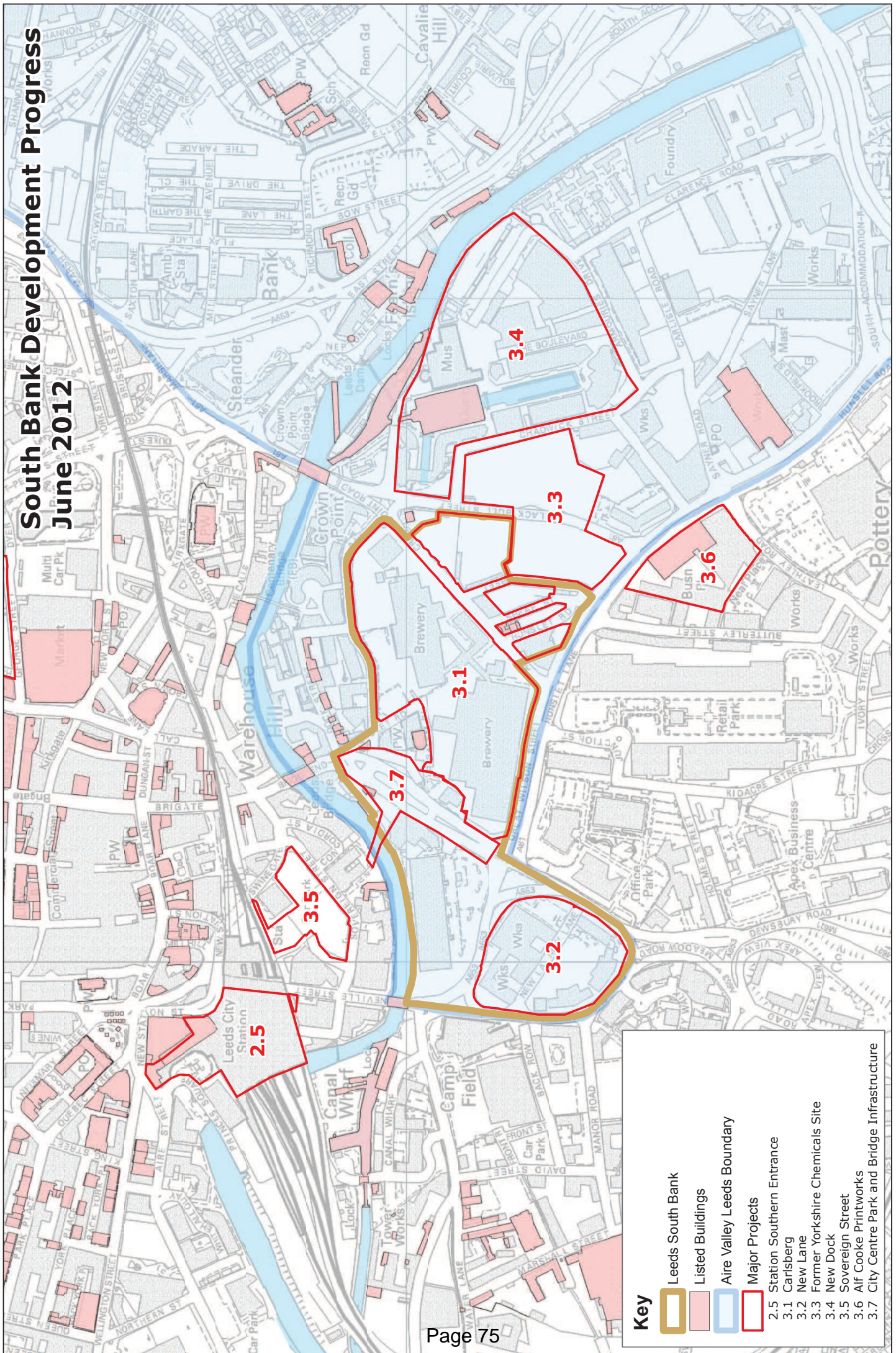
SOUTH BANK Urban Design Principles: Plan 1 of 2

For illustrative purposes only

- South Bank Planning Statement Boundary
- Historic streets re-opened as walkways and access routes
- Development 'plate': uses, spaces, connections to be determined
- City Centre park elements and other open spaces
- Walkways and footpaths
- Principal highways
- Section of NGT Public Transport route
- Listed/historic/significant buildings
- Sympathetic building infill
- Gateway markers
- Potential links, road crossings and greenspaces
- Potential strategic links
- Bridge links to Holbeck across railway cuttings
- Connections to the wider city
- Views to significant



South Bank Development Progress June 2012



Key

- Leeds South Bank
- Listed Buildings
- Aire Valley Leeds Boundary
- Major Projects

- 2.5 Station Southern Entrance
- 3.1 Carlsberg
- 3.2 New Lane
- 3.3 Former Yorkshire Chemicals Site
- 3.4 New Dock
- 3.5 Sovereign Street
- 3.6 Alf Cooke Printworks
- 3.7 City Centre Park and Bridge Infrastructure

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