



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 27th February, 2014
at 1.30 pm

MEMBERSHIP

Councillors

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

**Agenda compiled by:
Angela Bloor
Governance Services
Civic Hall
Tel: 0113 24 74754**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY 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 13-16 of the Members’ Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			APOLOGIES FOR ABSENCE	
6	City and Hunslet		<p>APPLICATION 13/04852/FU - MULTI STOREY CAR PARK AND AKBARS - GREEK STREET/RUSSELL STREET AND BOND COURT LS1</p> <p>Further to minute 47 of the City Plans Panel meeting held on 29th August 2013, where Panel received a pre-application presentation on proposals for a hotel, to consider the formal application for a 10 storey hotel building, associated works and public realm works</p> <p>(report attached)</p>	3 - 20
7	City and Hunslet		<p>PREAPP/13/00789 - PINNACLE BUILDING - BOND STREET/UPPER BASINGHALL STREET LS1 - PRE-APPLICATION PRESENTATION</p> <p>To consider a report of the Chief Planning Officer and to receive a presentation on pre-application proposals for digital media screen</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. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i></p> <p>(report attached)</p>	21 - 28

Item No	Ward	Item Not Open		Page No
8	City and Hunslet		<p>PREAPP/14/00015 - VICTORIA GATE - PHASE 2 CAR PARK - LAND BOUNDED BY VICAR LANE, LADY LANE, TEMPLAR PLACE AND THE INNER RING ROAD LS2 - PRE-APPLICATION PRESENTATION</p> <p>To consider a report of the Chief Planning Officer and to receive a presentation on pre-application proposals for the demolition of a number of existing buildings to allow for the temporary reconfiguration of and addition to the existing car parking (an increase in car parking spaces from 542 to 824) and associated landscaping</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. A ward member or a nominated community representative has a maximum of 15 minutes to present their comments.</i></p> <p>(report attached)</p>	29 - 36
9			<p>DATE AND TIME OF NEXT MEETINGS</p> <p>Thursday 20th March 2014 Thursday 10th April</p>	

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

To all Members of City Plans Panel

Contact: Angela M Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: site visits
Date 18th February 2014

Dear Councillor

SITE VISITS – CITY PLANS PANEL – THURSDAY 27TH FEBRUARY 2014

Prior to the meeting of City Plans Panel on Thursday 27th February 2014, the following site visits will take place:

9.30am		Depart Civic Hall
9.45am	City and Hunslet	Victoria Gate Phase 2 – Car Park – land bounded by Vicar Lane, Lady Lane, Templar Place and the Inner Ring Road – pre-application presentation - depart site at 10.15am
10.30am	City and Hunslet	Pinnacle Building – Bond Street/Upper Basinghall Street – digital media screen – pre application presentation depart site 11.00am
11.10am	City and Hunslet	16 Greek Street – 10 storey hotel building, associated works and public realm works – depart 11.40am
12.00 noon approximately		Return to Civic Hall

As all the sites are within the City Centre it has been agreed with the Chair that the sites will be visited on foot.

Please meet in the Civic Hall Ante Chamber at **9.25am** for a **9.30am** start.

Yours sincerely

Angela M Bloor
Governance Officer

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Originator: P. Kendall

Tel: 0113 2478196

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27th FEBRUARY 2014

Subject: 10 STOREY HOTEL BUILDING, ASSOCIATED WORKS AND PUBLIC REALM WORKS ON LAND AT GREEK STREET/ RUSSELL ST/BOND CT, LEEDS (13/04852/FU)

APPLICANT	DATE VALID	TARGET DATE
FR Evans (Leeds) Ltd	29.10.2013	28.01.2014

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PLANNING PERMISSION - Subject to the condition set out below and any other conditions that the Chief Planning Officer considers necessary.

Conditions

1. Time Limit (3 years)
2. Development in accordance with approved plans
3. Highway works shown on approved site layout plan to be completed prior to opening of hotel to customers
4. Samples of all external walling and roofing materials for the hotel building.
5. Samples of all external walling materials for the extension to Minerva House and making good of Capitol House
6. Construction of a sample panel of all external walling materials.
7. Samples of all external surfacing materials.
8. Detailed 1:20 scale working drawings shall be submitted including cross sections of ground floor treatments, window bays and roofline/eaves.
9. Hard and/or soft landscaping scheme.
10. Maintenance of landscaping scheme.
11. Provision of internal cycle store set out on approved plan

12. Construction activities to take place 0800-1800 Mon-Fri and 0800-1300 Sat with no such activity on Sundays or Bank Holidays
13. Statement of Construction Practice including controls over: mud and grit on the highway; generation of dust; contractors plant location; site access arrangements; public access to the construction plan; measures to avoid impact on buses
14. Sound insulation scheme to deliver the internal noise levels recommended in submitted acoustic report and to be subject to post completion testing.
15. No external amplified sound
16. External terraces to be used only between 0700-2300 all days of the week
17. Limitation of plant noise to 5dBA below background noise levels
18. Method of refuse collection to avoid bins being left on the public highway.
19. Specified hours of delivery 0700 – 2100 Monday to Saturday with no such activity on Sunday or Bank Holiday
20. Details of installation and operation of air conditioning including odour filtration.
21. Phase II contaminated land desk study required
22. Amendment of remediation statement.
23. Submission of verification reports.
24. Photographic recording of structure prior to demolition
25. Details of works for dealing with surface water discharges from the development required.
26. Surface water drainage works to be completed prior to bringing development in to use.
27. Details of entrance ramp and handrails
28. Details of external lighting scheme to be submitted
29. Sustainability - Submission of detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, (iii) a waste management plan for the buildings occupation and (iv) a BREEAM assessment to at least Very Good rating or equivalent
30. Submission of statement to indicate how local employment initiatives will be used to offer jobs and employment opportunities for local people both during construction and once the hotel is operational.

1.0 INTRODUCTION:

- 1.1 This application relates to the proposed redevelopment of the former mechanical stacker car park and single storey Akbar's restaurant situated between Russell Street and Greek Street. The car park has been decommissioned and is no longer fit for purpose which has brought forward the proposal for redevelopment. The buildings are both owned by F.R. Evans Leeds Ltd (Evans) which also owns a number of other surrounding buildings including Minerva House to the west and Capitol House to the south. Evans are currently in the process of refurbishing Minerva House and are also to refurbish Capitol House in the near future. They are also looking to improve the servicing of their buildings and how they can enhance the external areas. Evans have partnered the chosen operator of this hotel proposal (Dakota) at other locations in the UK and therefore this partnership is already established.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site consists of the former car park (220 spaces) and the single storey Akbar's restaurant, which are both located between Russell St and Greek St. This site is within the Prime Office Quarter with the surrounding buildings all being of a similar height to the car park and currently in either office use or vacant. Pennine House is to the east and this has been the subject of a recent planning approval for change of use

to student accommodation, the works for this conversion are currently on site. The remainder of Greek St consists of a terrace of properties set back from the back edge of footpath to reduce the scale of development on what is a relatively narrow street (average 13m). The only break in this is Akbar's restaurant which is single storey with flat roof and main entrance on to Greek St, the flat roof being one of the few remaining parts of the city centre-wide upper-level pedestrian walkway proposal which commenced in the 1970's.

- 2.2 The building on the opposite side of Greek St to the north, Yorkshire House, is 19m away from the upper floors of the proposed hotel although, at ground floor level, this is reduced to 13m due to the proposed ground floor podium. Yorkshire House is also in office use with a vacant former A4 use on the ground floor.
- 2.3 The stacker car park access was from Russell St via a length of highway which terminates in a wide vehicle turning area. To the south is Bond Court, which was landscaped in the mid 1990's and provides a welcome area of openness in the city centre, although the general quality of the surface treatment is poor. However, a scheme of refurbishment of the central area around the boules court has recently been completed consisting of wide bands of light granite broken up by narrower bands of dark granite, with solid granite benches and tree planting. This was undertaken as a partnership between L.C.C. and Wilton Developments which owns Midland House fronting the eastern side of Bond Court. The area represents a major pedestrian movement zone given its key location between the city's primary office area to the west and the retail core to the east.

3.0 PROPOSALS

- 3.1 The proposal is to demolish the stacker car park and the single storey restaurant and construct a new ten storey, 90 bedroom hotel with basement, to include restaurant, bar and meeting rooms. The area of Bond Court will also be resurfaced in the high quality materials to match the initial phase of works already completed and various changes to the public highway are also to be carried out on Russell St and Greek St described below.
- 3.2 Description of Proposed Building Form

The height of the building has been determined by those of its neighbours and the profiles of surrounding buildings. On Greek St, the building follows the ground floor podium line of the neighbouring Pennine House. Above this the building steps back, again to align with Pennine House. To Russell St the building line again approximates to Pennine House, however, the western end of the building breaks forward to produce a projecting 4 storey bay to act as a visual end stop. The building has a wider street elevation than the existing stacker car park (by between 4m-6m) and therefore occupies more of the space between Pennine House and Minerva House. The proposal steps down in scale as it approaches Minerva House, terminating in a curved plan form.
- 3.3 The top floor is recessed by 1.5m to allow terraces to be created for the bedrooms. This feature has a projecting eaves detail which creates a definite top to the building. Above this, and recessed by 4.5m from the elevations, is a 1.2m high plant screen which will screen all of the mechanical plant and equipment required for the operation of the hotel. Its low profile and set back will mean that it is not visible from street level and is of minimal impact even when viewed in true elevation.

- 3.4 The proposal has a footprint which now leaves a space between it and Minerva House. This enables a new pedestrian route to be created and means that new elevations and frontages will be created to either side of the route. This would also increase the level of pedestrian permeability and connectivity in the area which is important given its key location. This elevation of the hotel would have a high proportion of glazing with views into the bar as well as an external terrace area.
- 3.5 The exposed flank wall to Minerva House contains a number of fire exits, one of these being at first floor level. There is also a requirement to house the existing bin storage area which is in this location within the existing building. Whilst there is a long term desire to remodel this elevation of Minerva House, to introduce windows with views in to a lively leisure unit, at the present time the applicant is only able to provide a temporary facility for the storage of refuse, accommodation of the fire exit steps and air conditioning units for the existing tenants. Therefore, an extension is proposed which would be of bronze coloured panels, mounted on a steel frame, which would act to screen the exposed elevation and all other items referred to above. This would still leave, at the narrowest point, a clear width of 3.8m between the temporary structure and the hotel although this widens to between 6m and 8m along the rest of its length. This is considered to be a reasonable width in a totally pedestrian environment. The exposed side of Capitol House will also be made good with matching aggregate panels.
- 3.6 Elevational Treatment
The ground floor and first floors would be clad in dark granite with a dark tint used to the glazing, with reconstituted stone panels of a natural stone colour and texture and curtain wall glazing used on the remainder of the elevations between second and eighth floors. The elevational treatment takes its cue from other buildings in Greek St, being of a grid-like pattern, although the glazing has been used to break down the grid to both primary elevations. The set-back top floor would be clad in zinc panels, with full height glazing. The curved elevation facing towards Minerva House allows greater space to exist between the buildings, with the minimum distance being 6m for a very short length abruptly widening to 8m-10m up to sixth floor and 13m above that. This elevation would contain only narrow vertical slot windows given the proximity of the adjacent office building, thereby letting light in, but preventing vision in to the rooms. Windows looking out over Russell St at this end of the hotel would face south-east utilizing the curved plan form, again to avoid direct vision in from the adjacent office building. A subtle and discreet external lighting scheme will be added to the building to enhance its night time appearance.
- 3.7 Internal Layout
The ground floor has two entrances, one on to Bond Court and the other on to Greek St. The ground floor would contain primarily bar, a double height glazed entrance with lifts up to the first floor hotel reception and associated back of house facilities. The ground floor on to Greek St would contain a bar terrace, 2 landscaped planters containing 4 trees and low level planting, steps up to an entrance area and a fully accessible ramp which leads to a pair of sliding doors set within a double height glazed screen.
- 3.8 The hotel service access has been located on Greek St to avoid servicing taking place from the proposed refurbished Bond Court. Access to the basement restaurant is via a feature stair located in the centre of the floorplate. The kitchen extraction is to roof level via an internal riser duct. The first floor would contain the hotel reception, meeting rooms with external terrace fronting Greek St on top of the granite podium feature. The second to ninth floors would contain the 90 no.

bedrooms. These are a mixture of standard rooms and suites with the ninth floor suites each having a terrace overlooking the city.

3.9 Servicing/Drop-off

The hotel and its bar and restaurant will be serviced from a new on street lay-by to be provided as part of works to be undertaken by the applicant on Greek Street. Hence, there will be no requirement for service vehicles for the development to access the hotel via Russell Street. In addition there is an existing taxi rank on Greek St which could be used for taxi drop-offs.

3.10 Entry to the new Bond Court layout would be through a restricted width of highway which would effectively act as a gateway to the new scheme. A turning head is proposed to be integrated within the surface treatment as well as a loading bay for use by the existing buildings around Bond Ct. The turning head would enable service vehicles to manoeuvre as well as those vehicles which need to use Russell St avoid passing through the Bus Gate on Park Row (an illegal manoeuvre). At this point the only option is to turn into Russell St and, if the vehicle is small enough, perform a 3 point turn in the eastern end of the street, or to drive in to Bond Court and carry out the same manoeuvre in the new turning head.

3.11 A TRO is necessary to control the use of this area. This would state that the area is a 'Restricted zone, no waiting and no loading at any time except loading in signed bay'. These restrictions would be clearly displayed by signs located at the entrance to Bond Ct as well as on other appropriately located signs around the carriageway.

3.12 The physical change in surface treatment and entrance through the restricted gateway is intended to indicate to drivers that they are entering a pedestrian priority area. The surfacing materials retain the light and dark grey granite banding, but reverse the pattern so that the dark granite is the wider stripe with the lighter grey between. A kerb edge block with a check of between 30mm and 60mm will delineate the carriageway. The details of this scheme will have to ensure that the requirements of all highways users, both vehicular and pedestrian, are considered and accommodated within the design, whilst ensuring a high quality surface treatment. This is especially the case given the high levels of footfall through the space due to its key location within the city.

3.13 A revision of the parking space layout on both Greek St and Russell St is required in order to ensure that no on-street parking bays are lost. This is in addition to the provision of a new loading bay. New kerb alignments are also required on Greek St in the location of the original stacker car park exit. These changes will require works to be carried out on the public highway requiring revisions to the existing Traffic Regulation Orders. Provision for motorcycle parking will remain, but be relocated on the public highway in Russell St. The hotel will provide access to public transport information within the hotel to enable easier access to sustainable transport modes.

3.14 Public Realm

The revisions to the road layout in Russell St/Bond Ct could be carried out using traditional paving and road surfacing materials. However, the applicant agrees with the Local Planning Authority that there is an opportunity to create a much improved environment here by using the banded granite employed on the first phase of improvements. Whilst this is a significantly more expensive treatment, the applicant is willing to carry out these works to ensure the highest quality scheme is produced. The continued use of the granite across the area will increase the sense of space and indicate pedestrian priority despite vehicular access still being required. The scheme would also include street lighting, tree planting and bollards. A termination

line has been drawn for this phase of works which is roughly coincident with the northern line of Bond St.

3.15 The new external walkway between Greek Street and Bond Court would link the two external terraces, one to Greek Street in front of the bar entrance with the other facing south over Bond Court. There is no policy requirement to provide this new pedestrian link. It is simply the desire of the applicant to create this route.

3.16 The applicant has agreed to carry out the works set out on the plan submitted as part of this application. The extent of the works is as described above and as this is either on land in the applicant's ownership or L.C.C. Highway land, it can be carried out using a S278 Agreement and its provision ensured by condition.

3.17 Sustainability

The building has been designed to utilise a number of energy saving devices. The following specific measures are proposed to achieve an energy demand reduction at the development:

- Improve U-values of the external envelope including glazing.
- Improved efficiency of the space heating, cooling and hot water.
- Use of energy efficient lighting and intelligent lighting controls.
- Use of variable speed pumps, fans and drives to match supply and demand.
- Use of heat recovery to mechanical ventilation systems.
- Hot water via CHP.
- Reception, offices, restaurant and bedrooms all heated and cooled via a VRF heat pump system.

The building is in a highly sustainable location and provides no dedicated car parking. The building is expected to achieve a BREEAM rating of 'very good'.

3.18 Local Employment Initiatives

Both Evans and the hotel operator have stated that they are more than supportive of measures to use initiatives for the employment of local people during both the construction and operational stage of the hotel use.

4 **PLANNING HISTORY AND NEGOCIATIONS**

4.1 A number of design development and highways meetings have been held with the applicant and progress has been made on these and other issues through e-mails and telephone conversations.

4.1.1 This proposal was discussed at pre-application stage by Members at City Plans Panel in August 2013. Members concluded that the proposed use of the site as a hotel was appropriate with the majority view being that the appearance of the building in the various street views was acceptable, but that much greater detail was required when the scheme was next presented to Panel. Also that the 7m distance between the proposed hotel and the existing Minerva House was considered to be acceptable (Note that this has now been reduced to 6m in parts). A good, extensive scheme of pedestrianisation through and beyond the site should be provided. In addition, the following needed to be considered: the location of the terraces could overlook Bond Court; lighting of the scheme at night needed to be considered; the lack of provision of

on-site parking should require a public transport contribution to be made; the use of the hotel entrance in respect of drop-offs.

4.2.2 There is no relevant planning history for either the stacker car park or the restaurant.

- Pennine House has recently received planning permission for change of use to student accommodation (app. ref. 12/04154/FU)
- Minerva House has planning permission for refurbishment and elevational changes (app ref. 13/00779/FU).
- The entrance into Capital House also has planning permission for its relocation to the leading, more prominent, corner facing in to Bond Court. (app ref 13/05382/FU)

4.1.2 A part of Bond Court has recently been the subject of a refurbishment scheme resulting from a public/private partnership with Wilton Developments, the owner of Midland House. This has shown what great change to an area can occur through the installation of high quality public realm works. This proposal would continue the practice of public and private sectors working together to create a better environment for the benefit of not only the building owners, but also its occupiers and passing pedestrians.

5 PUBLIC/LOCAL RESPONSE

5.1.1 Site notices advertising the application as a major development were displayed around the site on 8th November 2013 and the application was advertised in the YEP on 21st November 2013. Ward Members have been consulted on this application and no comments have been received

5.1.2 Leeds Civic Trust (LCT) originally objected to the design as it was initially submitted. However, the scheme has been amended and LCT now supports the proposal including the appearance of the fenestration, the reconstituted stone cladding to the upper levels and the concealment of the roof top plant. They welcome the hotel use and the life that the bar restaurant would bring throughout the day and night and also the opportunity for employment creation in the city. They support the continuation of the initial Bond Court surface treatment across a larger part of the square and the management of existing bin stores. They note that the exposed elevations of the neighbouring buildings will need to be treated in a sympathetic manner. Finally, they highlight the fact that this is one of the last survivors of an unusual type of building and request that a record be made of it prior to its demolition.

5.1.3 A letter has been received from the occupier of a residential property in Simpsons Fold, Dock Street, Leeds, who states that, with the black granite and grey stonework, the building will look far too austere, dull and dated and that if black/opaque glazing is proposed, then they wish to object to the proposal. However, if transparent glazing is proposed the application would be supported.

5.1.4 A letter of objection has been received from Gordons Solicitors on behalf of the owners of Akbars restaurant. This makes the following points:

- i. There is a lack of consideration to an existing basement fire exit route beneath Minerva House.
- ii. In respect of the submitted wind report: The prevailing wind direction is set by a meteorological station at Leeds & Bradford Airport which, in the opinion of the objector, is misleading when applied to Leeds City Centre; The baseline condition does not account for the fact that the existing car park structure is

- 'porous' to the wind and that the more solid surface of the proposed hotel could lead to accelerated down-draughts and there are no canopies to protect pedestrians from this; The report also identifies accelerated down wash between Bond Ct and Infirmary St which is a concern to the objector. There appear to be no mitigation measures e.g. trees in Bond Ct.
- iii. The loss of 220 spaces makes the city less attractive and viable. Valet parking is proposed for those who arrive by car but the Transport Statement does not account for this.
 - iv. That reconsultation has not taken place once revised plans have been submitted and placed on public access.
 - v. Rights to Light issues are being discussed between the applicant and the owners of neighbouring buildings and it would seem inappropriate to determine the application prior to that matter being resolved.
 - vi. Why has the Stopping-Up Order for Russell St not been commenced to run concurrently with the planning application?

6.0 CONSULTATION RESPONSES

Statutory:

There are no statutory consultations required for this application.

Non-statutory:

Highways:

A new turning head needs to be provided which allows the turning of a 10m rigid vehicle. Safe pedestrian access needs to be provided in and around the development. A TRO will be required for the turning head area which is for no waiting and no loading at any time, except in the designated loading bay. The new highways layout in Bond Court is only acceptable and will only work if it is delivered as a complete package (no phasing of works). These works will be required to be carried out under a S278 Highways agreement.

NGT Project Team:

The works proposed would result in an uplift to the urban environment and a more attractive walking route between key public transport hubs at Park Row and Infirmary Street. This route would become more legible and have the potential to cater for a higher pedestrian footfall. The significant scale of the works is noted and reference is made to para 4.5.3 of the adopted SPD which states that '...in the following specific circumstances this maximum reduction will not apply and the contribution required can be discounted by the full costs of ...' the SPD then lists three criteria one of which relates to 'New (or improvements to existing) public transport facilities being delivered or provided as part of the submitted proposal.' While the works themselves are not directly public transport related the benefit to this important pedestrian linkage between key public transport facilities is considered to meet the requirements. Therefore in this case no public transport contribution is required as works are effectively being implemented by the developer in the place of the fixed contribution.

Access:

The access arrangements to the building are acceptable as they include a compliant ramp and accessible doors. The proposals are now acceptable in terms of access for disabled people - pending details of the external surface materials, kerb heights/shape and details, bollards and street furniture, and colour contrast

Metro:

Wish to ensure that the construction traffic does not impede the flow of buses on Park Row. The applicant should be informed of the ability to sign up to the Metro real time information display within the building.

Environmental Protection:

The submitted noise report assesses the baseline conditions on the street and then sets out the mitigation measures to be employed to allow the bedrooms to meet the required standard. Mechanical plant is to be on the roof. No objection subject to conditions.

Flood Risk Management:

No objection subject to conditions regarding provision of acceptable methods of drainage.

Contaminated Land Team:

The site investigation proposals are satisfactory. No objections are raised subject to conditions being applied.

Wind:

The effect of the proposal on the wind environment has been assessed using a Computational Fluid Dynamic (CFD) model. It has been established that the neighbouring buildings play a significant role in shaping the wind environment with most of the adverse conditions being the result of the existing No. 9 Bond Court which is some 50m to the south east. The conclusions are that the proposed development would not adversely affect existing wind conditions largely because it is the neighbouring buildings which play a significant role in the wind environment. (The wind environment is not principally driven by the hotel proposal). The safety criteria used do not equate to strong winds exceeding 15m/s and in any case, the windiest conditions in the area are not attributable to the proposed development. The stronger winds identified in the area by the CFD modelling are likely to be attributable to the form and location of the existing tall building at 9 Bond Ct. Note: the points raised by the objector and addressed in 8.6.2 have also been verified with the independent wind engineer.

Police Architectural Liaison Officer:

No objections and welcomes the use of external lighting and CCTV, as well as the creation of large areas of glazing at ground floor level which will ensure natural surveillance occurs.

Licensing

No objection. The Statement of Licensing policy would not prevent new licensed premises in this area.

7.0 **POLICY**

Leeds Unitary Development Plan Review 2006 (UDPR)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is the adopted Leeds Unitary Development Plan (Review 2006) (UDPR) and the Natural Resources and Waste DPD. These development plan policies are supplemented by

supplementary planning guidance and documents. Leeds UDPR policies require that matters such as good urban design principles, sustainability, highways and transportation issues, public realm, landscaping, biodiversity and access for all are addressed through the planning application process. The site lies within the designated City Centre and as part of the Prime Office Quarter where the primary office use is expected to be supported by secondary uses including hotels. This provides life and vitality outside normal office hours without prejudicing the functioning or character of the office area.

Other relevant policies include:

GP5 all relevant planning considerations

GP11 sustainability

GP12 sustainability

A1 improving access for all

A4 safety and security provision

N12 urban design

N13 design and new buildings

BD2 design and new buildings

BD4 all mechanical plant

BD5 amenity and new buildings

CC3 City Centre character

CC11 streets and pedestrian corridors

CC12 public space and connectivity

CC13 public spaces and design criteria

CC27 Prime Office Quarter

T2 transport provision for development

T2D public transport provision for development

T5 pedestrian and cycle provision

T6 provision for the disabled

T7A cycle parking

T7B motorcycle parking

LD1 landscaping

R5 employment and training for local residents associated with the construction and subsequent use of developments

7.2 Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013 and is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Drainage policies are applicable to this proposal.

7.3 Relevant Supplementary Planning Guidance includes:

SPD5 Public Transport Improvements and Developer Contributions

SPD Sustainable Design and Construction

Leeds City Centre Urban Design Strategy

7.4 Draft Core Strategy

The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.

Spatial Policies 1 Location of Development and 2 Hierarchy of Centres aim to concentrate the development of visitor facilities in Leeds City Centre, and Spatial Policy 3 Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by promoting the City Centre's role as the regional capital for major new hotel development.

7.5 National Planning Policy Framework

The NPPF includes policy guidance on sustainable development, economic growth, transport, design, and climate change. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given to them. The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses such as hotels. The location of hotel development within the City Centre, close to the railway station, meets this requirement to locate such uses in sustainable locations. The NPPF also promotes economic growth in order to create jobs and prosperity. It is considered that the proposed use would meet the objectives of the National Planning Policy Framework in terms of meeting the objectives of sustainable development, and promoting the economic growth of the City.

7.6 Section 7 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important that design is inclusive and of high quality. Key principles include:

- Establishing a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimising the potential of the site to accommodate development;
- Respond to local character and history;
- Reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments; and
- Development to be visually attractive as a result of good architecture and appropriate landscaping.

8.0 **MAIN ISSUES**

1. Principle of use
2. Urban design
3. Public Realm
4. Amenity
5. Highways Issues
6. Wind
7. Sustainability
8. Employment Initiatives
9. Other points of objection
10. Conclusion

8.1 Principle of Use

- 8.1.1 The application site lies within the designated City Centre and the Prime Office Quarter. UDPR Policy CC27 states that office use will be supported as the principal use within the Quarter, although proposals for other uses which service the area, add variety and vitality, support the attractiveness of the area and would not prejudice its function, would generally be encouraged. Hotels are considered to be a use which achieves all of these policy objectives. This is especially the case if they contain ground floor facilities and interact with the street as this proposal clearly seeks to achieve. The proposal would meet the objectives of the Draft Leeds Core Strategy as it would add to the provision of visitor facilities in the City Centre
- 8.1.2 The proposal would accord with the NPPF as a hotel is a designated town centre use. The proposal would also meet NPPF objectives by promoting economic growth in a sustainable location. In this case, Leeds City Centre with its associated transport nodes and high level of access to public transport. The National Planning Policy Framework, Leeds Unitary Development Plan Review, and the Draft Leeds Core Strategy would support a hotel use in this City Centre location.

8.2 Urban Design

- 8.2.1 The scale and form of the proposal is in line with existing buildings in the area. This retains the character of the street which is clearly of a city centre scale but is not oppressive or overbearing due to the podium and set back upper floor configuration. The design has a definite base, middle and top and the proportions of these are considered to be appropriate for this scale of building. The building has been designed to respond to the fact that it would be seen from many different locations along Greek St, from within Bond Court and even from East Parade, where it will be seen between Minerva House and Capitol House. It is considered to do this in a successful manner given its interesting 3 dimensional form and use of materials. The fact that it increases the length of the frontage to both Russell St and Greek St is considered to be a positive aspect of the scheme.
- 8.2.2 The building has been designed to avoid hotel bedroom windows looking directly into office windows at close proximity. This gives the building its distinctive curved western end which is considered to provide visual interest and tie the Greek St and Russell St elevations together, even though they face in opposite directions.
- 8.2.3 The buildings in this area are a mix of materials at the upper levels ranging from man-made polished cladding product to Portland Stone, generally sitting above robust dark toned bases. The use of a high quality polished granite for the podium is therefore appropriate in terms of both its appearance, as well as longevity, with such a robust material able to withstand the treatment expected in a tight urban environment. The use of dark tinted glazing at lower level is not considered to be detrimental to the appearance of the building as the ground floor uses are lively and active and are likely to be used at most times of the day. This will bring internal lighting and therefore the ability to see in to the space especially at night. The reconstituted masonry material at the upper levels is of a texture and tone which will sit well within this mixed, but relatively restrained, environment and is considered to be a good material for use in the body of the building. All external materials will be controlled by condition. The inclusion of external lighting is welcomed and will also be controlled by condition.

8.3 Public Realm

- 8.3.1 The resurfacing of large parts of the public realm will improve the appearance of the street scene and it is hoped will give rise to a pedestrian dominated use of the space. The extension of the granite banding treatment, used on the initial phase of works, is considered to be the correct approach as the area which has already been completed is of high quality. The use of the same treatment in a 'wall to wall' manner is considered to provide unity to the space and it is accepted that this principle also assists in making the space feel larger. The reversal of the dark/light granite and edge treatment to distinguish the turning head is considered to be a subtle but successful design feature which would provide visual contrast whilst at the same time maintaining the integrity of the overall design. The termination of the treatment on a line which approximates to the line of Bond St is seen as a logical point for this phase of the Bond Ct refurbishment and is acceptable. The details of this scheme will be the subject of subsequent discussions with the Local Highways Authority as the scheme will be carried out on the public highway and the details will be controlled by condition.
- 8.3.2 It would be possible to lay out the highway using paving materials and tarmac. However, as previously stated, the applicant is prepared to carry out all of the resurfacing works to the quality of the initial phase. This is clearly a significant investment in the public realm and is very much welcomed by officers. This is a large area which needs to be completed in one phase and, as stated in the comments from the NGT Project Team above, these works would result in an uplift to the urban environment and a more attractive walking route between key public transport hubs. The route would also become more legible and have the potential to cater for a higher pedestrian footfall. As the scale of the works is particularly significant, in terms of the policy contained in the relevant SPD, the benefit to this important pedestrian linkage between key public transport facilities is considered to meet the requirements of the policy with the result that the contribution can be discounted by the full cost of the works. Therefore, in this specific case, no public transport contribution is required as works are effectively being implemented by the developer in a tangible form, in place of a fixed contribution.
- 8.3.3 The layout of the area, to include the turning head, is considered to be the best way to deal with the requirement to turn vehicles which need to access this street. Given that it is closed to through traffic and that there is already a taxi rank in Greek St, the only vehicles which should legitimately enter this area are expected to be those servicing the existing buildings at this end of Russell St, and those which find themselves there because they cannot enter the bus box. This will mean that the number of vehicles using this area will be restricted and will clearly be much reduced compared to the previous use as a car park. This will support the objective of pedestrian domination of the space with vehicles demoted to a secondary role.
- 8.3.4 The inclusion of a new publicly accessible walkway on the western side of the building is clearly a positive addition to the public realm in the area and will improve pedestrian connectivity. The width of the walkway is 3.8m at its minimum but is generally 8m over most of its length. The insertion of the new fire exit and refuse storage area is considered to be the best way to accommodate the necessary functions of Minerva House whilst a permanent solution is devised. The use of bronze panels is considered to be acceptable as it will visually screen the uses behind, whilst complementing the dark brown granite cladding of the base of the main building. The fact that the hotel will have a double-height, fully glazed elevation looking out over this route will prevent it from becoming a dark uninviting passage way with no natural surveillance.

8.4 **Amenity**

- 8.4.1 The proposed building is of a similar height and plan form to the existing car park and at its upper levels would be 6m away from Minerva House at its closest point, although this abruptly widens to 8m. Minerva House is in the same ownership as the application site and the owner considers this relationship to be acceptable, whilst still enabling a suitable level of amenity to exist for the office occupiers. The hotel has been designed to avoid direct views between the buildings and because Minerva House is in office use there are no residential amenity issues to overcome. Yorkshire House to the north is 19m away from the upper floors of the hotel, 13m to the ground floor and the height is very similar to the existing car park. The remainder of Yorkshire House faces across to Pennine House to the east with a very similar relationship. It is considered that, at this distance, the increase in width of the hotel, by between 4m-6m over that of the existing car park, would not result in a material loss of amenity to the occupiers of Yorkshire House.
- 8.4.2 The hotel is subject to a noise mitigation strategy which is designed to reduce noise levels within the bedrooms to an acceptable level through the use of double glazing and mechanical ventilation. This method is acceptable and the details will be controlled by condition. The mechanical equipment is to be located in the roof top enclosure along with the termination of the kitchen extract and this arrangement is considered to be acceptable.

8.5 **Highways Issues**

- 8.5.1 The car park which exists on site is now obsolete and the spaces have already been lost. This is outside the control of the Local Planning Authority. The spaces were contracted to local businesses and not available for use by the general public and brought 220 vehicle movements a day on to the public transport box on Park Row during peak periods and out along Greek St to the loop on exit. These movements have now been taken out of the local highway network. The loss of the car park therefore upholds the objective of reducing reliance on the private motor vehicle and reducing peak period vehicle flows. The site represents the redevelopment of a brownfield site, sustainably located within walking distance of key public transport nodes including Leeds City Station and bus interchange, as well as additional bus services situated on Infirmary Street and Park Row. Officers consider that this supports sustainable transport objectives
- 8.5.2 The proposal has no car parking and therefore it is expected that a majority of trips associated with it will be made using public transport with the final part of the trip made on foot. This will ensure that the number of vehicle trips in this area is reduced, as well as increasing the reliance on public transport modes. The TRO to be placed on this section of carriageway is considered to be the most appropriate for this area and will be reinforced by traffic signs. Therefore: the TRO; the change in surface materials; the presence of a restricted width gateway to the area and the fact that there is already a taxi rank on Greek St, are considered to be the best combination of measures to discourage drop-offs from occurring in this area.
- 8.5.3 Mention of valet parking in the original Design Access Statement (DAS) was erroneous and was not contained within the Transport Statement. This comment has now been removed from the DAS and the promotion of the use of sustainable transport modes by the applicant reinforced by the provision of a public transport information system within the hotel.

8.5.4 In response to the Metro requirement to avoid impeding the bus flow on Park Row during construction, a statement has already been received from the applicant's advisor setting out how this will be avoided through the use of a vehicle arrival booking system and appointment of a logistics manager for the site who will control arrival and departure times. A construction management plan will be required by condition and therefore this matter, along with others which could have an impact on amenity (e.g. mud and grit on the highway; generation of dust; contractors plant location; site access arrangements) will be controlled through that process.

8.6 **Wind**

8.6.1 The proposed development would not adversely affect existing wind conditions largely because it is the neighbouring buildings which play a significant role in the wind environment. (The wind environment is not principally driven by the hotel proposal). The stronger winds identified in the area by the CFD modeling are likely to be attributable to the form and location of the existing tall building at 9 Bond Ct. The safety criteria used do not equate to strong winds exceeding 15m/s and in any case, the windiest conditions in the area are not attributable to the proposed development, but from 9 Bond Ct.

8.6.2 In respect of the points raised in the letter of objection from Gordons (Akbars):

Transferability of wind direction: The translation of the wind data from the measured location (Leeds and Bradford Airport) to the application site was carried out using software recognized by specialist wind engineers. This takes in to account the terrain roughness of the area around the application site.

Porosity of existing car park façade: The building facade is not exposed directly to the wind that could create facade downwash. The south-westerly and westerly winds are not likely to reach the facade of the building and there was no facade downwash recorded from the baseline or proposed building. There was minor facade downwash observed from the nearby Pennine House for both the baseline and new development cases tested. However the wind in this location is still suitable for pedestrian walking and standing. This is independent of whether tree planting is included in front of Pennine House or not.

Wind conditions from Bond Ct to Infirmary St: The taller building (9 Bond Ct) causes the wind acceleration observed at Bond Court. This building dominates the environment in the area of the application site and therefore this is not an effect caused by the new development but an existing effect observed while studying the baseline and the new development.

8.6.3 If the upgraded landscape treatment is rolled out across the remainder of Bond Court down to Infirmary St in future then it may be pertinent to consider whether the area adjacent the base of 9 Bond Ct should be subject to tree planting in order to mitigate what are shown to be the windiest conditions in the area. However, it is considered neither reasonable, nor proportionate, to seek these measures from the current proposal.

8.7 **Sustainability**

8.7.1 The proposal has been designed to achieve a rating of BREEAM Very Good. Adopted SPD policy requires that new hotels meet the BREEAM Excellent

standard. However, in this case the building will provide 19.41% of its energy through on site low carbon energy sources, in the form of air heat source pumps and hot water combined heat and power (CHP) which exceeds the policy requirement of 10%. CO2 emissions will be reduced by a combination of the introduction of low carbon technology and enhanced u-values. This scheme delivers the adopted policy target of 20% better than building regulations in terms of carbon emissions. Therefore, on this basis, it is considered that the increased on-site energy production and reduced carbon emissions of the project mitigate the shortfall in the BREEAM accreditation.

8.8 **Employment Initiatives**

8.8.1 The support of both Evans and the hotel operator for the employment of local people during the construction and operational phase of the hotel is welcome and will be controlled by condition.

8.9 **Other Points of Objection**

Reconsultation on Revised Plans

This application was advertised both on site and in the press. Clearly the public access system available on the internet enables interested parties to follow the progress of an application once submitted, including any revisions. This can occur on a frequent basis in the case of a large scheme such as this. The fact that the objector was aware that revisions had been made to the proposal means that at least this objective of the public access system was met. The objector's letter was received after the revisions they referred to were made and therefore at the time of the revisions, it was not known that the objector was even going to submit comments. In this case, the revisions to the elevations overcame concerns of officers (and LCT in their original letter of objection - now withdrawn) and added detail to the elevations of the Minerva House temporary screening extension, which itself resolves one of the objections raised by Gordons on behalf of Akbars.

Fire Exit

The maintenance of fire exits is dealt with by other legislation. However, it is the applicant's intention to retain the fire exits which is why the temporary build-out on the eastern elevation of Minerva House is necessary. It must be remembered that Minerva House is owned by the applicant and therefore, it is not in their interests to fail to meet the requirements of the relevant legislation.

Rights to Light

Whilst the impact of the building on the amenity of neighbours is a planning matter and has been addressed above, the issue of rights to light is a matter for the applicant to resolve with neighbouring property owners and is therefore not a matter to be considered by the Local Planning Authority.

8.10 **Conclusion**

The existing area is blighted by the presence of the stacker car park which has now fallen in to disrepair and is no longer used. Bond Court has suffered from a poor quality surface treatment although the first phase of a high quality public realm scheme has offered an indication of what can be achieved. Other buildings in this area are being refurbished and the sense is that there is now an opportunity to upgrade this part of the city centre. The new hotel building has been designed to relate well to all of its neighbours in both form and elevational treatment. The use is

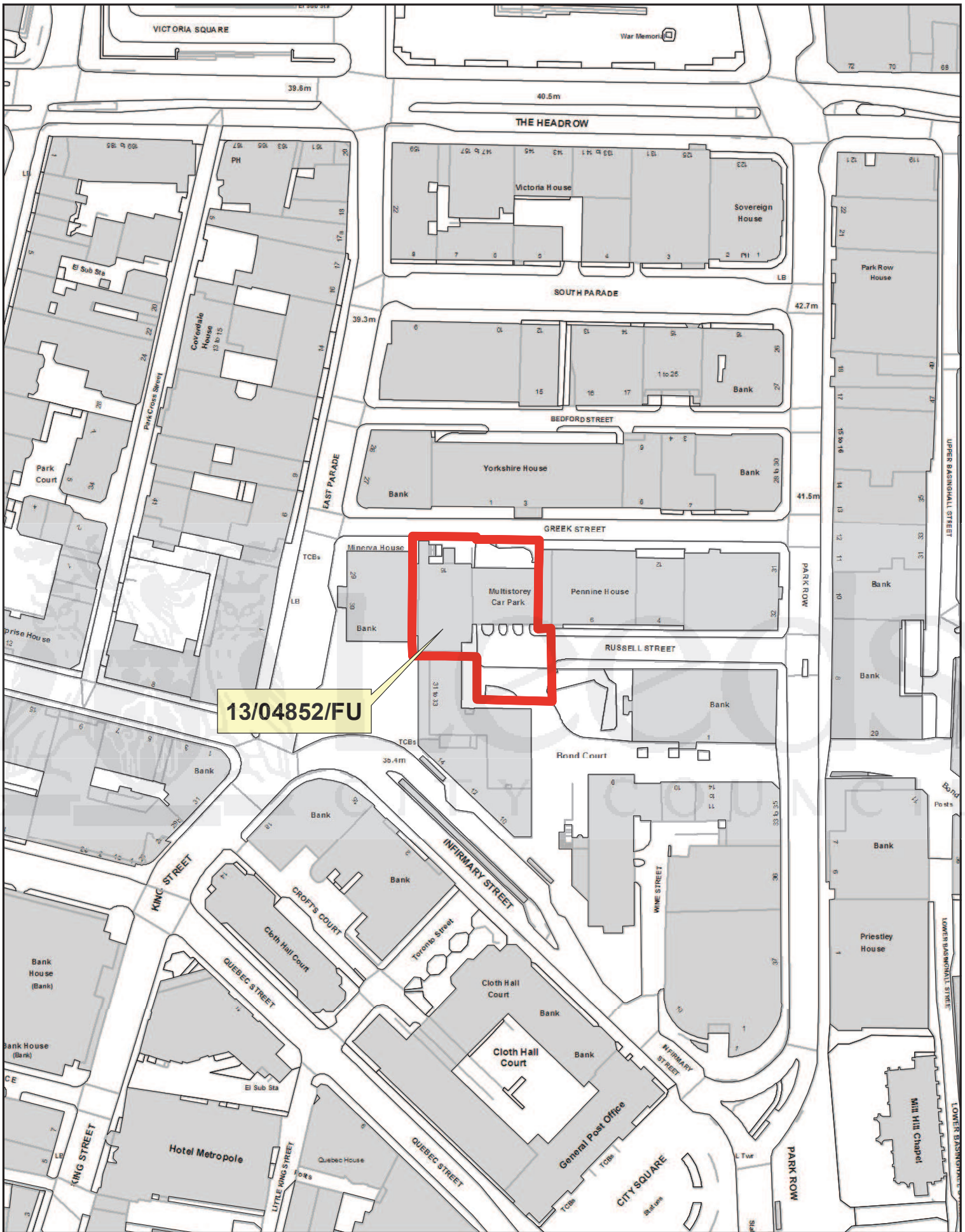
appropriate to this city centre location and will provide life and vitality throughout the day and night. The laying out of a large area of public realm and highway by the applicant, as well as the creation of a new pedestrian route, is welcomed and the proposal will generate employment opportunities both during the construction and operational phases once opened to the public. The proposal is in accordance with all policy objectives and is considered to be acceptable.

Background Papers:

Application file: 12/04154/FU Pennine House

Application file: 13/00779/FU Minerva House

Application file: 13/05382/FU Capitol House



13/04852/FU

CITY PLANS PANEL





Originator: Matthew Walker

Tel: 3952082

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27th February 2014

Subject: PRE-APPLICATION PRESENTATION OF PROPOSALS FOR THE INSTALLATION OF A DIGITAL MEDIA SCREEN TO THE PINNACLE BUILDING, BOND STREET / UPPER-BASINGHALL STREET, LS1 5AA (PREAPP/13/00789)

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 Plans Panel for information. The Developer will present the details of the scheme to allow Members to consider and comment on the proposals at this stage.

1.0 INTRODUCTION

- 1.1 This presentation is intended to inform Members of the emerging proposals for the installation of a permanent digital media advertisement screen to the western elevation of the Pinnacle Building, Bond Street / Upper-Basinghall Street in Leeds City Centre.
- 1.2 The proposal is brought to City Plans Panel since it represents a new format of large scale digital advertising of which there are only limited examples in the City Centre.

2.0 SITE AND SURROUNDINGS

- 2.1 Pinnacle is a 20 storey office building projecting above lower level car park and retail units. The lower levels of Pinnacle were refurbished in 2005 to enhance the retail units at ground level, mid-level car park and introduce architectural 'light-box' features to break up the car park elevations. The application site is within the Prime Shopping Quarter (PSQ) and the ground floor retail units are designated as being within a Prime Shopping Frontage (PSF). Albion Street forms the boundary of the Central Area Conservation Area and the application site is located outside of, but adjacent to, the Conservation Area.
- 2.2. The proposed position for the screen is to the existing 'light-box' on the west elevation, which faces Park Row and the recently improved public realm to Bond Street. Lengthier views of the Pinnacle building are achieved from the recently improved Bond Court to the western side of Park Row. Within the setting of the screen are the Grade II listed buildings at 11-14 Bond Court and 33-35 Park Row.

3.0 PROPOSALS

- 3.1 It is proposed to introduce a digital media screen onto the western elevation of the Pinnacle building. The screen would measure 6.4m x 3.7m and incorporate moving images but no sound and would be located to the existing 'light-box' (one of a number of these existing architectural features located to the western, southern and eastern facades which consist of grey fins, thin profile glazing and canopies with down-lighters). The screen would be in 'portrait' format, centrally located and framed within this feature.
- 3.2 The new screen is proposed to be integrated into the 'light-box' façade and the screen face positioned to be flush with the existing cladding line. In order to host the screen with a symmetrical appearance within the façade, the existing framing and glazing pattern is to be re-ordered.
- 3.3 Any associated operational equipment, wiring and fittings would be located behind the screen / within the building with the aim of giving a clean and uncluttered external appearance.

4.0 RELEVANT PLANNING HISTORY

- 4.1 12/03408/ADV - Digital media screen to shopping centre, Trinity West Shopping Centre, Albion Street, Leeds, LS1 5ER

An advertisement application for the introduction of a digital advertising screen 6.1m x 3.6m in to the splay corner at first and second floor levels of the Trinity Shopping Complex. The application was presented to City Centre Plans Panel in September 2012.

The application was recommended to members for approval due to the proposed location within a commercial centre of regional and even national significance, where advertising is clearly an accepted part of the urban fabric in the prime shopping area and where it would be set against a back drop of a newly created modern retail development in which there is a very large glazed area to a lively and active food offer.

The screen proposal was viewed as being well integrated in to the design of the corner of Trinity rather than simply being placed upon it as an after-thought and was therefore considered acceptable in terms of it's impact on visual amenities.

4.2 12/00511/FU - Replacement media screen, The Carriageworks, 3 Millennium Square Leeds, LS2 3AD

The media screen on The Carriageworks, facing Millennium Square was upgraded to a high definition screen of the dimensions 6.1m x 3.6m in 2012. The screen facing Millennium Square is used to show public events and public information and is not used for commercial advertising. This screen faces on to a large public space sufficient to accommodate the associated crowds.

4.3 12/03419/FU & 12/03420/ADV - Alterations to form digital media advertising display, West Riding House, 59 - 61 Albion Street, Leeds, LS1 5AA

This application was presented to City Centre Plans Panel in September 2012. It was a proposal for a screen to the eastern side of the Pinnacle site (formally known as West Riding House). Officers considered that West Riding house provided a backdrop to the long views along Albion Place, and is clearly visible from Kirkgate Market and that the proposed screen would have terminated this important view and would draw the eye to West Riding House and down to the level of the car park in particular, which would become the focus of views (and therefore take over the prominence afforded to the listed buildings and conservation area in general). It was considered this would be retrograde and harmful to the Conservation Area and the setting of listed buildings and members were minded to refuse the application on that basis.

4.4 Relevant Appeals

10/02426/ADV – Advertising display screen to side of office building, 9 Bond Court Leeds

In 2010 an appeal was lodged against the refusal of an application for a 12m x 6m digital advertising panel on the blank southern elevation of the 11 storey Bond Court office building facing out over City Sq. It would have been visually dominant as a backdrop to several listed buildings including the former post office building and would be seen in the context of the City Centre Conservation Area. The inspector upheld the decision on the grounds of the adverse impact of the proposal on the character of the Conservation Area and the setting of the nearby listed buildings.

5.0 HISTORY OF NEGOTIATIONS

- 5.1 The applicant has reduced the size of the proposed sign since initially proposed to officers in July 2013 and has followed advice relating to framing of the advertisement and the treatment of glazing around the sign.
- 5.2 Discussions have taken place regarding the giving over of a quantity of air time to the City Council for community information purposes. Discussions on these matters are still ongoing at the time of this report, however the provision of community airtime should not be viewed as necessary in order to make the scheme acceptable in planning terms and Members should not take this in to account as a material consideration in reaching their view on the scheme.
- 5.3 The applicant is willing to make a contribution to public realm improvement works along Upper-Basinghall Street. The screen would potentially have a dominating impact on the modest pavement widths of the adjacent Upper-Basinghall Street. It is considered that expansion of the pedestrianised area of Bond Street onto Upper-Basinghall Street would help to mitigate this impact by providing a larger public space to counter balance the size of the screen and would also provide opportunity for people to stop and view the screen without causing an obstruction.

6.0 POLICY

6.1 National Planning Policy Framework (NPPF)

- 6.2 Paragraph 67 of the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

6.4 Leeds Unitary Development Plan Review

- 6.5 The UDPR includes policies requiring that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, and access for all are addressed through the planning application process. The application site lies within the designated City Centre. Relevant policies include:

- 6.6 BD6: Extensions and alterations should respect the scale, form and detailing of the original building.

BD8: All signs must be well designed and sensitively located within the street scene. They should be carefully related to the character, scale and architectural features of the building on which they are placed.

GP5: Proposals should resolve detailed planning considerations including design and safety.

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

6.7 Leeds City Council's supplementary planning document on advertising design guidance recognises digital screens as an emerging form of advertising and advises that they should not be located adjacent to highways for safety reasons. This guidance requires special attention be given to protecting the character and setting of conservation areas and listed buildings.

6.8 CABE and English Heritage 'Large Digital Screens In Public Spaces' (2009): This offers guidance to LPA's on the issues to consider when assessing the suitability of sites for both public event display screens and digital media/advertising screens.

The 3 overriding principles set out are that a screen should:

1. Be in an appropriate location
2. Be of excellent design quality in its own right and ensure that the building façade is suitable
3. Enhance the qualities of its immediate location and wider setting.

And that if it fails on one of these then it should be considered unacceptable. It then expands on the above general principles by offering the following advice:

Location: An appraisal of the immediate surroundings of the site should be considered, including: topography; urban grain; scale and height; streetscape and open spaces; listed buildings; conservation areas; landmark buildings including backdrops and important local views and vistas; large trees whose growth may in future obstruct views of the screen and therefore require pruning which would impact on the amenity of the area; the potential impact on local movement patterns. There should be a comprehensive assessment of the screen's impact on an area.

Context: Large screens are likely to be inappropriate in architecturally or historically important places particularly if they harm the character, appearance or setting of listed buildings or conservation areas. This is the case even if it is some distance away as it has moving elements and a high visual impact. It is important to consider: the impact on the heritage of a place; the relationship to landscaping, open space and street furniture; topography; strategic and local views; light pollution; conflict with existing users in the area.

Areas to be avoided: Those which have: listed buildings; conservation areas; places that are particularly environmentally and visually sensitive such as smaller spaces and those used for quiet repose; the centres of streets or where the screen back is exposed; where they would add to street clutter or be sited close to existing townscape features including trees. Careful consideration will be needed to ensure the building façade is suitable and that it is not adversely affected when the screen is switched off or removed in the future.

6.9 **Draft Core Strategy (DCS)**

- 6.10 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.
- 6.11 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design. Development should protect and enhance locally important buildings, skylines and views.
- 6.12 Policy P11: The historic environment, consisting of archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

7.0 **ISSUES**

- 7.1 Digital media is clearly an emerging advertising form largely due to the advancements in digital technology and the improvement in screen resolution. When used in the correct locations they can add to a commercial environment although it is clear from the guidance set out above that some locations are not suitable due to their impact on more sensitive environments.
- 7.2 Members are asked to comment on the scheme and to consider the following matters:

Visual Amenity

- 7.4 The screen has been designed and proposed so that it would appear to be integrated into the design of the building, proposed within an architectural 'light box' capable of framing the screen.
- 7.5 The screen has been proposed to be located so that it would be seen as a backdrop on a modern shopping complex, within an commercial centre rather than seen prominently within a more sensitive environment and not impacting upon the setting of listed buildings and the character and appearance of the Conservation Area
- 7.6 To mitigate for the screen's overall scale and presence, the space in front of the screen would be enhanced and provide a wide pedestrian area to balance the size of the screen.
- 7.7 The screen would be sufficiently detached from Park Row so that it is not read as part of the setting of listed buildings on Park Row and the important long north-south views between the Civic Quarter and City Square.

Do Members agree that the visual impact from the proposal is acceptable and appropriate for this location?

Public Safety

- 7.8 The siting of the screen would be read as part of a pedestrianised area with no 'head-on views of the screen from the road network, specifically from Park Row.
- 7.9 The enhanced public space would avoid potential obstruction for pedestrians if people are encouraged to stop to view the screen, creating a wider pedestrian setting allowing space to pause without impacting upon or impeding pedestrian flows.

Do Members agree that there are unlikely to be any adverse highway safety implications arising from the proposed screen?

Background Papers:

PREAPP/13/00789

CABE/English Heritage guidance 'Large Digital Screen in Public Spaces' (2009)



CITY PLANS PANEL





Originator: Sarah McMahon

Tel: 2478171

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27th February 2014

Subject: PRE-APPLICATION PRESENTATION OF PROPOSALS FOR THE DEMOLITION OF A NUMBER OF EXISTING BUILDINGS TO ALLOW FOR THE TEMPORARY RECONFIGURATION OF AND ADDITION TO THE EXISTING CAR PARKING (AN INCREASE IN CAR PARKING SPACES FROM 542 TO 824) AND ASSOCIATED LANDSCAPING (PREAPP/14/00015) AT LAND BOUND BY VICAR LANE, LADY LANE, TEMPLAR PLACE AND THE INNER RING ROAD.

Electoral Wards Affected:

City and Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

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

1.0 INTRODUCTION

- 1.1 This presentation is intended to inform Members of the emerging proposals for the temporary reconfiguration of existing off-street car parking and the addition of 281 additional off-street car parking spaces, with some temporary mixed use units and landscaping, on the Phase 2 section of the Victoria Gate site.
- 1.2 The proposal is brought to City Plans Panel as the development involves the demolition of a number of buildings including the former Vicar Lane bus station and Lyons Works, as well as an increase in overall off-street car parking numbers on the site and the Stopping Up of two streets.
- 1.3 Members will be aware that Permitted Development rights exist for the demolition of buildings of this nature, under part 31 of Schedule 2 the Town and Country Planning (General Permitted Development) Order 1995 (GDPO), but an application to the

local planning authority would be needed to check whether the authority requires prior approval of the method of demolition (in line with the conditions to part 31 of the GPDO).

2.0 SITE AND SURROUNDINGS

- 2.1 The application site is defined by New York Road (Inner Ring Road A58M/A64M) to the north, Templar Place to the east, Lady Lane to the south and Vicar Lane to the west. It will form part of Phase 2 of the Victoria Gate development.
- 2.2 The site contains mixture of buildings, roads and open spaces, however, a significant land use is surface car parking (2.26 hectares). Existing buildings on the site are commonly three or four storeys in height, and are predominantly vacant and in varying states of disrepair. There are a number of Grade II listed buildings in close proximity to (but outside of) the site, these being 90-94 Vicar Lane, The Grand Arcade, the former Leeds Chest Clinic at 18 Merrion Place, 1 and 3 The Headrow, 2 to 12 the Headrow and 2 to 8 Eastgate.
- 2.3 Buildings of note on the site are the vacant Saxon Hawke House (Lyon Works), a former clothing factory constructed in 3 phases between 1914 (northern end adjacent to Templar Street) and 1937 (southern end adjacent to Lady Lane). This building has been deemed to be immune from Listing by English Heritage. To the west of Templar Lane, Templar House is a Grade II Listed Building constructed as a chapel in 1840. The building has been unoccupied for some time and is in a poor physical condition with no remaining internal features of interest. The Templar Hotel, at the junction with Templar Street, is a mid-late 19th Century building still in use as a public house. 100-104 Vicar Lane originally formed part of the West Yorkshire Bus Station but is now vacant.
- 2.4 The existing off-street car parking spaces across the site are currently all long stay parking. A large proportion of these car parking spaces to the northern side of the site have been recently contracted to one company and as such are no longer available for general use. There is short stay on-street parking on Templar Street, Templar Lane, Templar Place, Lady Lane and Edward Street, totalling 97 spaces.

3.0 PROPOSALS

- 3.1 The proposals are a temporary scheme (for an estimated period of some 5 years) to maximise the use of the existing off-street long stay car parking areas by reordering the layout. In addition, it is proposed to introduce a further 281 off street short stay spaces for shoppers and visitors, taking the total spaces from 542 to 823. Of this new total it is proposed that 23 be disabled users car parking spaces (this being 3.5% of the total off-street car parking provision). This short stay car parking would provide replacement public short stay car parking for that lost on the Union Street car park for Phase 1 of the Victoria Gate development.
- 3.2 To facilitate such an increase in car parking numbers there would be a requirement to demolish some of the buildings on the Phase 2 site to create the necessary space. As such the proposal is for the demolition of Saxon Hawke House (Lyon Works), the former West Yorkshire Bus Station (100 to 104 Vicar Lane) and the attached Provident House building (106 to 118 Vicar Lane), and 130 Vicar Lane and the attached 1 to 7 Templar Street to the north western end of the site. It is the case that the demolition of this building to facilitate Phase 2 of the Victoria gate scheme was approved under outline planning application 12/03002/OT.

- 3.3 In addition, the scheme proposes to Stop Up Edward Street, Templar Lane and North Court to create vehicle and pedestrian routes that are within the car park's demise. As a result of the proposed layout and Stopping Up the scheme requires the removal of some 37 of the Leeds City Council controlled on street car parking bays along Templar Lane and Edward Street. There will be a requirement to compensate the Council for the loss of revenue from these on street car parking spaces.
- 3.4 The proposed scheme is largely hard surfaced in nature. All existing and new parking areas would be re-laid and set out with new surface treatments and markings to upgrade the existing parking bay arrangements. Some soft landscaping, including tree planting along Vicar Lane and the main pedestrian route through the middle of the site, is proposed. This greening would be predominantly focused around the Vicar Lane end of the site although some small areas of soft landscaping would be provided at other points across the site.

4.0 PLANNING HISTORY AND CONSULTATION

- 4.1 The original outline planning permission for the previous Victoria Gate development scheme (06/03333/OT) was granted consent on 24th August 2007 and permission was extended on 9 July 2010 (10/01477/EXT). Subsequently a revised scheme was submitted under outline planning application 11/0100/OT for major redevelopment, including demolition, involving mixed use to provide retail stores, restaurants, bars and offices (A1, A2, A3, A4, A5 and B1 Use Classes), gym (D2 Use Class), medical centre, crèche, multi-faith prayer room (D1 Use Classes), changing places toilet facilities, with new squares and public realm, landscaping, car parking and associated highway works. This was approved on 6 September 2011. A Non Material Amendment planning reference 12/9/00055/MOD to amend the description to refer to leisure use (D2 use class) instead of gym (D2 use class) was approved on 4 April 2012.
- 4.2 A subsequent Section 73, Variation of Condition application, planning reference 12/03002/OT, was submitted seeking the variation of condition 3 of planning permission 11/01000/OT to allow for Leisure Use (D2 use class) and Casino Use (sui generis) as part of a retail-led mixed use development. This application was approved on 30 October 2012. A Non Material Amendment planning reference 12/9/00098/MOD to amend the description to add in Casino Use (Sui Generis) was also submitted in parallel to the Variation of Condition application (12/03002/OT) and this was approved on 2 October 2012.
- 4.3 Approval was granted for a trio of applications covering Phase 1 of the Victoria Gate development to the south side of Eastgate, on 9 January 2014. These applications were for:
1. 13/02967/FU - Major mixed-use, retail-led development including the demolition of all buildings and construction of retail (use classes A1, A2, A3, A4, A5), leisure (use class D2)/casino (sui generis), public realm works and landscaping,
 2. 13/02968/FU - Demolition of Millgarth Police Station and the erection of a multi-storey car park and associated landscaping, means of access and highway works and
 3. 13/02969/RM - Reserved matters approval for Plot HQ1 (to be occupied by John Lewis) of the outline planning permission, at Land Bound by Eastgate, George Street and Millgarth Street, Leeds, LS2.
- 4.4 Discussions regarding the current scheme commenced in November 2013 and have been undertaken with Officers to consider the proposed demolitions, the impact of the proposal on nearby designated and non-designated heritage assets and the

street scene, the layout, amount and type of car parking, the design and materials, key views particularly those along Vicar Lane, pedestrian routes and connectivity and green landscaping, access and the impacts on the highways network.

4.5 Ward Members were consulted formally on 21 January 2014 and by the Case Officer on 22 January 2014. Councillor Nash responded on 22 January 2014 stating she will reserve her comments for Plans Panel.

4.6 Members will recall that there were comments from Leeds Civic Trust on the Phase 1 applications 13/02967/FU, 13/02968/FU and 13/02969/RM with regard to any temporary use of the Phase 2 area of the overall site. Leeds Civic Trust stated that they considered that the buildings on this part of the site should be reused and that there is sufficient car parking in the area and around the edges of the City Centre already. They suggested the creation of a temporary city centre park combined with the retention of the existing buildings and car parking.

5.0 POLICY

5.1 National Planning Policy Framework (NPPF)

5.2 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. This national planning policy document is likely to be of relevance in considering the schemes proposed progression. The NPPF advocates a presumption in favour of sustainable development, and a "centres first" approach to main town centre uses such as retail. The document also promotes economic growth in order to create jobs and prosperity

5.3 Paragraph 135: the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5.4 Unitary Development Plan Review

5.5 The UDPR includes policies requiring that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, and access for all are addressed through the planning application process. The application site lies within the designated City Centre. Relevant policies include:

5.6 Policy A4 (Access for all)

Policy BD2 (Design and siting of new buildings)

Policy BD3 (Accessibility in new buildings)

Policy BD4 (All mechanical plant)

Policy BD5 (Amenity and new buildings)

Policy CC3 (Maintaining the identity and distinctive character of the city centre)

Policy CC8 (New buildings to respect the spatial character of existing buildings and streets outside the Prestige Development Areas)

Policy GP11 (development must meet sustainable design principles)

Policy LD1 (identifies requirements for landscape schemes)

Policy N12 (Urban building design)

Policy N13 (Design of all new buildings)

Policy T5 (requires safe and secure access for pedestrians and cyclists)

Policy T6 (requires satisfactory access and provision for disabled people)

Policy T24 (identifies parking requirements within UDPR Volume 2)

Policy T26 (supports short stay car parking in the city centre core parking area)

Policy T28 (manages the growth of long-stay commuter car parking)

Proposal Area 16 – Templar Street

The Statement comments that the site has potential for retail development with the Vicar Lane frontage having particular potential for retailing. There is also scope for subsidiary uses, particularly leisure and entertainment, and significant office use above ground floor. Catering uses would also complement the neighbouring Entertainment Quarter, and residential uses which would not prejudice the retail and leisure function would also be appropriate. The area also represents a major opportunity for public short stay parking. Pedestrian linkages to the Vicar Lane and Eastgate are noted as being particularly important. Public space should also be provided in any scheme.

5.7 **Draft Core Strategy (DCS)**

5.8 The draft Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State. The Inspector examined the Strategy during October 2013. The weight to be attached is limited where representations have been made.

5.9 Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design. Development should protect and enhance locally important buildings, skylines and views.

5.10 Policy P11: The historic environment, consisting of archaeological remains, historic buildings, townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity:

- the Victorian and Edwardian civic and public buildings, theatres, arcades, warehouses and offices within the city centre and the urban grain of yard and alleys.
- the nationally significant industrial heritage relating to its textile, tanning and engineering industries, including factories, chimneys and associated housing.
- the legacy of country houses, public parks, gardens and cemeteries.
- the 18th century transport network, including the Leeds and Liverpool Canal.

5.11 Policy T1: Transport Management states that support will be given to the following management priorities:

(iii) Parking policies controlling the use and supply of car parking across the city:

a) To ensure adequate parking for shoppers and visitors to support the health and vitality of the city and town centres.

5.12 **Supplementary guidance**

5.13 Building for Tomorrow Today – Sustainable Design and Construction.

5.14 The Leeds City Centre Urban Design Strategy (September 2000)

The application site falls within the Retail and Entertainment Area (Study Area 2) of the City Centre Design Guide. Pages 78-79 of the Design Guide highlight the aspirations and issues for the area. Some relevant key aspirations are highlighted as follows:

- Realise potential for redevelopment of temporary car park areas
- Retain and enhance the mixture of new and old buildings
- Improve links to other Quarters
- Preserve and enhance fine grain
- Retain and enhance the existing character of strong street frontages
- Preserve and enhance the quality of priority and permeability for the pedestrian
- Preserve and enhance views
- Provide and enhance spaces
- Encourage lively activity and discourage perceived privatisation of shopping streets
- Improve clear edges

5.15 Eastgate and Harewood Supplementary Planning Document

The Eastgate and Harewood Supplementary Planning Document (SPD) was adopted in October 2005. The SPD was prepared to supplement the guidance in the adopted UDP for the Eastgate and Harewood Quarter. The SPD provides 12 principles to guide the redevelopment of the Eastgate and Harewood Quarter and those of relevance are:

- Enhance the public realm through pedestrianisation or street closures if necessary, and encourage pedestrian linkages from the site to the market, river, Sheepscar, Mabgate, Victoria Quarter and Quarry Hill, integrated into the existing fabric of the city centre.
- Restrict access to through traffic using local streets and where possible, integrate the traffic displaced by, and accessing, the development into the improved highway network in recognition of safety and capacity constraints.
- Preserve where both practical and appropriate, existing historic assets and their settings.

5.16 **Natural Resources and Waste Local Plan 2013 (NRWLP)**

5.17 One of the strategic objectives of the NRWLP is the efficient use of previously developed land. General Policy 1 is that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

6.0 ISSUES

Members are asked to comment on the scheme and to consider the following matters:

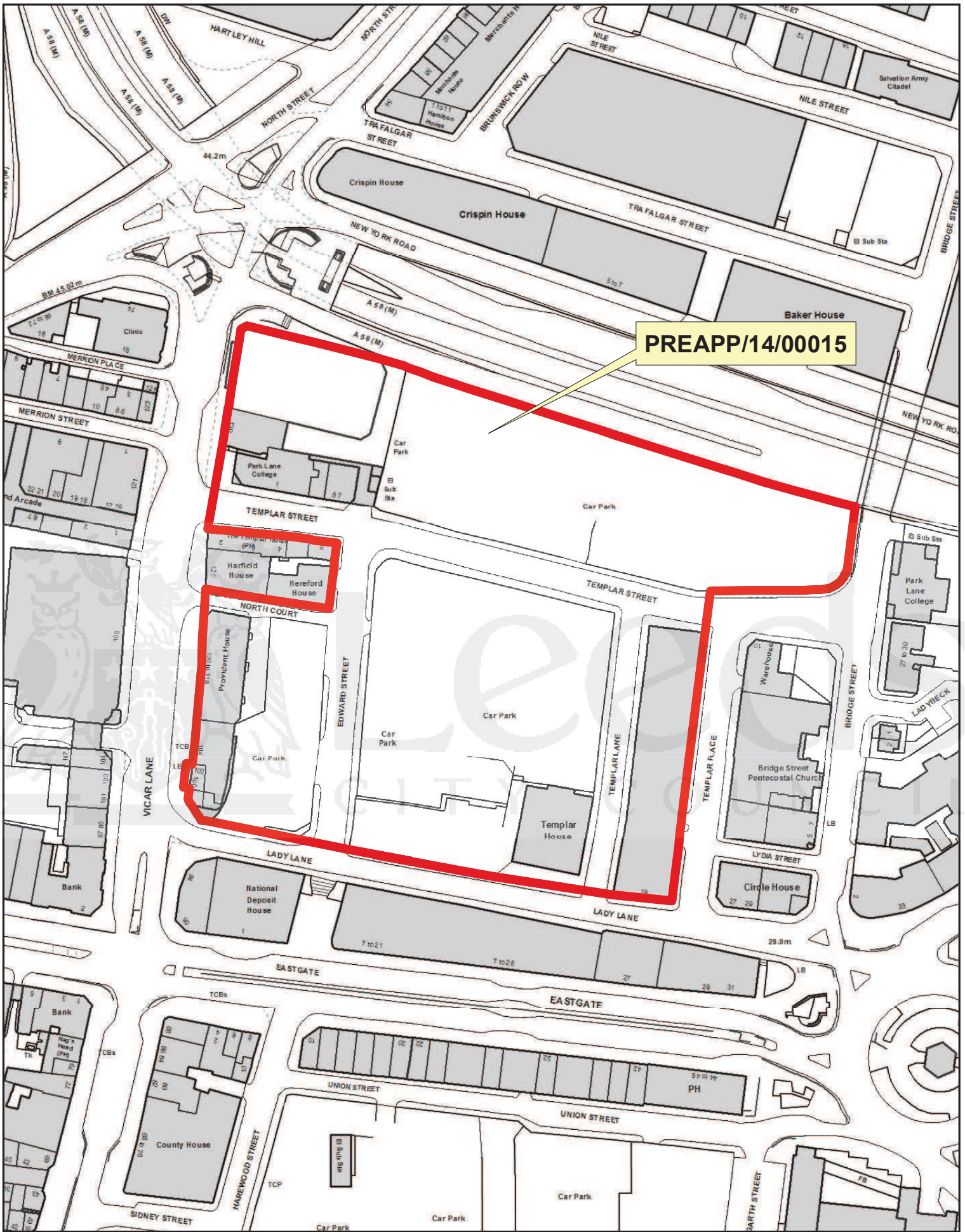
6.1 The proposals require the relaying of all car park areas and some areas currently occupied by buildings, as well as public highway areas on Templar Lane, Edward Street, North Court, plus a vacant space to the north east corner of the site, to create the realigned and additional parking. This would also require the Stopping Up of Edward Street, Templar Lane and North Croft. The proposal would result in a total number of car parking spaces on the site of 823 (currently there are 542 spaces), with the additional spaces being short stay for shoppers and visitors. Some 37 Leeds

City Council controlled on-street short stay car parking spaces would need to be removed to facilitate the bringing forward of the proposal, for which there would be a requirement for financial recompense.

- 6.2 Do Members consider the reconfigured and additional short stay car parking numbers, and the required Stopping Up to be acceptable? Do Members consider the associated loss of on-street short stay car parking and proposal for there to be financial compensation to be acceptable?**
- 6.3 The buildings shown as proposed for demolition to bring forward the proposal are, Lyons Works and the former West Yorkshire Bus Station, which are defined in the Conservation Strategy (HUK17) of the 2011 Outline Planning Application (11/01000/OT) for the Victoria Gate scheme as a non-designated heritage assets and Provident House (106 to 118 Vicar Lane), 130 Vicar Lane and 1 to 7 Templar Street, which are not afforded the same importance in this approved document.
- 6.4 Do Members consider the demolition of Lyons Works, the former West Yorkshire Bus Station and the other named buildings to be justified?**
- 6.7 Due to the proposals being to increase upon and reorganise the existing car parking on the site, the proposed landscaping would be largely hard surfacing with soft landscaping edging the site, with much of this being the Vicar Lane frontage, and following the line of the main pedestrian route across the site.
- 6.8 Do Members consider the landscaping to be sufficient and appropriate? Do Members consider that the landscape treatment to the Vicar Lane edges in particular adequately maintain the sense of enclosure of the street, preserve the character of nearby designated and non-designated heritage assets and add positively to views along Vicar Lane on a temporary basis?**

Background Papers:

PREAPP/14/00015



CITY PLANS PANEL

