

## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 21st June, 2018 at 1.30 pm

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### MEMBERSHIP

#### Councillors

N Walshaw

J McKenna

(Chair)

A Khan

A Garthwaite

E Nash

P Carlill

C Gruen

J Goddard

C Campbell

B Anderson

D Cohen

P Wadsworth

T Leadley

D Blackburn

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**Agenda compiled by:**  
**John Grieve**  
**Governance Services**  
**Civic Hall**  
**Tel: 0113 37 88662**

## A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p><b>SITE VISIT DETAILS</b></p> <p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></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><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</b></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><b>RESOLVED</b> – 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><b>LATE ITEMS</b></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><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></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			<b>APOLOGIES FOR ABSENCE</b>  To receive apologies for absence (If any)	
6			<b>MINUTES OF THE PREVIOUS MEETING</b>  To consider and approve the Minutes of the previous meeting held on 31 <sup>st</sup> May 2018.  (Copy attached)	3 - 14
7			<b>MATTER ARISING FROM THE MINUTES</b>  To consider any matters arising from the Minutes.	
8	Armley; Bramley and Stanningley; Calverley and Farsley; Hunslet and Riverside; Kirkstall		<b>PRE-APPLICATION PRESENTATION FOR LEEDS FLOOD ALLEVIATION SCHEME PHASE 2 (PREAPP/18/00332) AT RIVER AIRE THROUGH THE AREAS OF LEEDS CITY CENTRE, KIRKSTALL VALLEY AND NEWLAY</b>  To consider a report by the Chief Planning Officer which sets out details of a Pre-Application Presentation for Leeds Flood Alleviation Scheme Phase 2 (PREAPP/18/00332) at River Aire through the areas of Leeds City Centre, Kirkstall Valley and Newlay  (Report attached)	15 - 24

Item No	Ward	Item Not Open		Page No
9	Hunslet and Riverside		<p><b>PRE- APPLICATION PRESENTATION - AMENDMENT TO DETERMINED APPLICATIONS 16/06877/FU AND 16/06878/LI FOR THE PARTIAL DEMOLITION OF 17 WELLINGTON STREET AND TOTAL DEMOLITION OF 49 AIRE STREET, TO EXTEND AND CHANGE THE USE OF THE EXISTING BUILDING TO FORM A 54 BED BOUTIQUE HOTEL (USE CLASS C1) WITH A NEW BASEMENT FOR BACK OF HOUSE AREAS AND A GROUND FLOOR RECEPTION AND RESTAURANT WITH BAR (USE CLASS A3/A4) AT 17 WELLINGTON STREET, LEEDS, LS1 4DL</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre - application presentation for amendment to determined applications 16/06877/FU and 16/06878/LI for the partial demolition of 17 Wellington Street and total demolition of 49 Aire Street, to extend and change the use of the existing building to form a 54 bed boutique hotel (Use Class C1) with a new basement for back of house areas and a ground floor reception and restaurant with bar (Use Class A3/A4) at 17 Wellington Street, Leeds, LS1 4DL</p> <p>(Report attached)</p>	25 - 32
10			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next meeting will take place on Thursday, 12<sup>th</sup> July 2018 at 1.30pm in the Civic Hall, Leeds.</p>	

### **Third Party Recording**

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

Use of Recordings by Third Parties— code of practice

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

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**Planning Services**

To all Members of City Plans Panel

Ninth Floor East  
Merrion House  
110 Merrion Centre  
Leeds LS2 8BB

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

Our ref: City Site Visits  
Date: 12.6.2018

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 21st June 2018**

Prior to the meeting of City Plans Panel on Thursday 21st June 2018 the following site visits will take place.

Time	Ward	Site
11.00 - 11.30am	Hunslet & Riverside	Preapplication presentation – Amendments to approved scheme at 17 Wellington Street, Leeds 1

Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **10.30 am at the latest. We will be walking to the site.**

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 31ST MAY, 2018

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

Councillors D Blackburn, T Leadley,  
C Campbell, A Khan, E Nash, S Hamilton,  
M Shazad, C Gruen, P Carlill, J Goddard,  
D Cohen and P Wadsworth

A Member's site visit was held in connection with the following proposal:  
Application No. 18/00604/RM – City Reach 1, Kirkstall Road, Leeds,  
Application No. 18/00622/OT – City Reach 2, Kirkstall, Road, Leeds and  
Application No. 18/00458/FU – Podium Buildings, Merrion Way, Leeds 2 and  
was attended by the following Councillors: J McKenna, A Khan, S Hamilton, C  
Gruen, B Anderson, C Campbell, T Leadley, E Nash and D Blackburn, P  
Wadsworth, P Carlill, M Shahzad and J Goddard.

### **1 Chair's Opening Remarks**

The Chair introduced and welcomed Councillors: B Anderson, P Carlill,  
D Cohen, J Goddard, C Gruen and P Wadsworth as new Members to City  
Plans Panel.

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

There were no appeals against the refusal of inspection of documents.

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

There were no items identified where it was considered necessary to exclude  
the press or public from the meeting due to the confidential nature of the  
business to be transacted.

### **4 Late Items**

There were no late items of business to be considered.

### **5 Declarations of Disclosable Pecuniary Interests**

There were no declarations of any disclosable pecuniary interests made at the  
meeting.

### **6 Apologies for Absence**

Apologies for absence were received from Councillors: A Garthwaite and N  
Walshaw.

Councillors: S Hamilton and M Shahzad were in attendance as substitute Members.

## **7 Minutes of the Previous Meeting**

The Minutes of the previous meeting held on 10<sup>th</sup> May 2018 were submitted for comment / approval.

Reference was made to the first paragraph of Minute No.165 Members requested that a minor correction be made, substituting the word reserved for “determined”.

Reference was made to Minute No.166, page 8 Members requested that an additional bullet point be added to read as follows:

- It was noted that the proposal was for predominantly residential use contrary to the site’s allocation for mixed use with the development plan

A further correction was requested in respect of Minute No. 168, third page, eighth bullet point down to read as follows:

- It was reported that flooding to the site had occurred previously. Members were informed that a flood risk assessment would be undertaken, including any impact from river silt, and it was intended the development would be lifted onto stilts to address any future flooding issues.

**RESOLVED** – That with the inclusion of the above, the minutes of the previous meeting held on 10<sup>th</sup> May 2018 be accepted as a true and correct record.

## **8 Matters Arising from the Minutes**

There were no issues raised under matters arising.

## **9 Application No. 18/00458/FU - Demolition of existing podium building and erection of one 15 storey and one 27 storey student accommodation building over basement car park, with ground floor A2, A3 or A4 floorspace and provision of new public realm, Merrion Way, Tower House Street and Brunswick Terrace, Leeds 2**

The Chief Planning Officer submitted a report which set out details of an application which sought the demolition of the existing podium building and the erection of one 15 storey and one 27 storey student accommodation building over basement car park, with ground floor A2, A3 or A4 floorspace and provision of new public realm, Merrion Way, Tower House Street and Brunswick Terrace, Leeds 2.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

Planning Officers together with the applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

The proposal is to demolish the existing 2 storey podium building and associated basement car park. Two new buildings would be erected contemporaneously. Tower A would be 15 storeys (approximately 46 metres) in height, Tower B is a 27 storey building would be approximately 78m tall. This proposed student accommodation would be accessed from a reception area on the southern side of Tower B to the east.

The proposals identify an active frontage around much of this building. An area of external seating serving the commercial unit is proposed along the west side the premises.

Student bicycle storage facilities would be provided in the ground floor of Tower B. Dedicated student amenity space would be provided at mezzanine level and the majority of the first floor of the building. In total, 1,344m<sup>2</sup> of amenity space would be provided for the students.

Student accommodation would be located from first floor of the buildings upwards. There would be a total of 94 studios and 152 cluster flats of which there would be 74, four bedroom clusters; 4, five bedroom clusters and 74, seven bedroom clusters. In total there would be 928 bedspaces across the development. Each of the studios, situated north and south of the core in the centre of each building, would be 30m<sup>2</sup>. Cluster bedrooms would be 11.4m<sup>2</sup>. Cluster living /kitchen spaces would be situated at each of the corners of the buildings. These spaces would be 23m<sup>2</sup> for 4 bedroom cluster flats and 40m<sup>2</sup> for the 5 and 7 bedroom clusters.

Glazing and off-white aluminum cladding are proposed as the principal building materials. The base of the buildings, comprising ground, mezzanine and first floor levels, would utilise double-height curtain wall glazing. The upper levels of the east and west elevations of the buildings would be articulated with chamfered returns to the secondary plane comprising curtain walling, spandrel panels and louvred panels with inward-opening windows located behind.

Proposals for the public realm identify new hardsurfacing extending across the entirety of the site. As such, the existing vehicular ramp at the western end of the podium building would be removed and infilled and would form part of a widened pedestrian approach along Brunswick Terrace from Merriion Way towards the arena. The remaining area to the north of the new buildings would be resurfaced as part of an extended area of public realm between the towers and the arena.

A new north-south public, pedestrian, route would be formed through the centre of the site between Towers A and B directly linking Merriion Way with

Brunswick Terrace and the arena. The 9 metre wide route would extend southwards through the existing strip of greenspace via new steps that would be formed on the southern edge of the terrace. A new footpath would also be formed linking Merrion Way and Brunswick Terrace to the east of Tower B. The footway fronting Merrion Way would be realigned and resurfaced as part of the public realm works. Two loading bays would be formed alongside Merrion Way; one to the front of Tower A and one closer to Arena Point.

Members raised the following questions:

- Do the 4 bedroom cluster flats comply with the National Described Space Standards (NDSS)
- The external materials to be used (off-white aluminum cladding) could a sample panel be provided.
- Would a wind impact assessment take into account the pattern of wind flow and how this could change
- A number of Members expressed concern about possible overspill of the active frontage area (proposed Bar/ Pub development) given the possible number of students living above and requested if a condition could be included to control/ manage the outside space.
- Could the outside space/green space be extended along the northern side of Merrion Way towards Arena Point and could planters be provided for shelter adjacent to the proposed seating area.
- Could any new trees planted be provided with sufficient room to grow

In responding to the issues raised, the applicant's representative and council officers said:

- Referring to paragraph 9.2.14 of the submitted report, Members were advised that student cluster accommodation was not specifically identified within the NDSS. The standard suggested that a 4 bedroom, 4 person apartment should have a minimum area of 81m<sup>2</sup>, the proposal identified an area of 86 m<sup>2</sup>, therefore the NDSS would be exceeded if applied in this way.
- It was suggested that the quality/ appearance of the external materials would be controlled through planning conditions and a sample panel would be made available on site.
- Officers reported that the wind impact assessment was based on quantitative modelling works and this methodology was found to be feasible and reasonable by the Council's independent review.
- Referring to possible overspill of the outside area, the City Centre Team Leader suggested that restricting seating away from the Merrion Way frontage may address this issue and that condition No. 34 be amended accordingly
- Officers confirmed the extension of the outside space/green space and the provision of planters would be sought with the proposal.
- Officers confirmed that the landscaping scheme would be conditioned to allow adequate spacing between the trees and growing conditions.

In offering comments Members raised the following issues:

- A number of Members were of the view that the room sizes appeared to be adequate
- Members requested if the external cladding could be viewed prior to its installation
- There was some concerns about how the outside space would be managed
- Could the wind impact assessment identify the areas of greatest impact
- Raised at previous meetings of this Panel when Members had requested an analysis of student accommodation and the shift of the student population from the outer areas into the city centre and the impact on businesses and services within the city centre. Members asked if the requested analysis could be provided at the earliest opportunity.

In responding the Chief Planning Officer said that some work had been undertaken which suggested the demand for student accommodation within the city centre had not yet been met but further analysis was still required and once completed would be the subject of a seminar to Members.

The City Centre Team Leader noted that proposed condition no.11 controlled the approval of samples of the external cladding. It was stated that Plans Panel Members would have the opportunity to view the cladding sample panels on site prior to their agreement.

Members welcomed the response provided by the Chief Planning Officer and the City Centre Team Leader.

In summing up the Chair thanked all parties for their attendance and contributions suggesting Members appeared to be supportive of the application.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 of the submitted report (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Use of accommodation for use solely by students in full-time higher education;
- A travel plan monitoring fee of £2,500;
- Implementation of travel plan;
- Contribution of £170,000 towards Merrion Way highway improvements;
- Local employment and training initiatives;
- Section 106 management fee of £1500.

In the event of the Section 106 Agreement having not been completed within 3 months of the resolution to grant planning permission, the final

determination of the application shall be delegated to the Chief Planning Officer.

**10 CITY REACH 1 (APPLICATION NO. 18/00604/RM) - RESERVED MATTERS APPLICATION FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF A MIXED USE SCHEME COMPRISING PRIVATE FOR SALE RESIDENTIAL (PFS) AND PRIVATE RENTED SECTOR (PRS) RESIDENTIAL WITH ANCILLARY GROUND FLOOR 'ACTIVE' USES, SMALL SCALE RETAILING, CAFÉ/RESTAURANT, BARS AT "CITY REACH 1" SITE SOUTH OF KIRKSTALL ROAD FRONTING THE RIVER AIRE (FORMER FIRST BUS DEPOT SITE)**

With reference to the meeting of 24<sup>th</sup> March 2016 and the decision to grant outline consent in respect of Application No.15/06844/OT subject to the completion of a Section 106 agreement.

The Chief Planning Officer now submitted a report which set out details of the reserved matters application in respect of the appearance, landscaping, layout and scale, pursuant to the extant outline permission for the City Reach 1 (CR1) site on the south side of Kirkstall Road with frontage to the River Aire.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The City Centre Team Leader together with the applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

The application was for "City Reach 1" a reserved matters application for appearance, landscaping, layout and scale of a mixed use scheme comprising private for sale residential (PFS) and private rented sector (PRS) residential with ancillary ground floor active uses, small scale retailing Café/Resaurant, Bars at site south of Kirkstall Road fronting the River Aire (Former First Bus Depot site).

The proposal included 528 residential units and 309 student units (Cluster flats and studios) within 5 blocks, ranging in height from 5 to 12 storeys

Set around a landscaped public realm that maximises access to the river frontage through the provision of the increased amount of public open space and large river front park area. This would have a central spine running north/south between Kirkstall Road and the River Aire bridge with 2 large areas of soft landscaped parkland to either side set at a lower level than the main spine.

A new 'village square' would be established centrally within the site that would be located at the intersection of the north-south and east-west routes. This was intended to provide a focal point to the scheme from which the east-west link will extend through into the CR2 site to the west. Riverside connections

both along and across the River Aire would be provided consistent with the terms of the existing S106 Agreement.

A total of 196 car parking spaces are proposed to be located within the site at surface level with an additional 42 being created for CR1 within the additional car parking area being created on the adjacent CR2 site, although when first constructed this area will contain 83 spaces 41 of which will be passed over to CR2 when that is completed. The applicants had previously proposed 500 car spaces in a basement facility, however, this has now been removed from the scheme for largely flood risk related reasons. The new parking spaces are contained either in under-croft areas at ground floor level or to the side of the buildings in landscaped areas laid out with block and bound gravel surface treatments. The scheme also provides a total of 517 residential and visitor cycle parking spaces and 8 electric vehicle parking points.

Members raised the following questions:

- What was the average room size per student
- Do the proposed units comply with the National Described Space Standards (NDSS)
- Are there any exceptions to the NDSS standards
- Where was the pedestrian crossing located on Kirkstall Road
- Was there a safe pedestrian route for students to and from the Universities
- Access into the site, is it left in, left out
- Are there any proposals to address highway safety concerns in respect of cyclists

In responding to the issues raised, the applicant's representative and council officers said:

- The City Centre Team Leader reported that each student room would be 14m<sup>2</sup> and each cluster would have a 25m<sup>2</sup> shared kitchen lounge area. 22 studios would be provided each with an area of 21.5m<sup>2</sup>. In addition there would be a communal student amenity space at ground floor level of 181m<sup>2</sup> and roof top terrace of 107m<sup>2</sup>
- It was reported that the units proposed across the whole of the site met the NDSS standards with the exception of 162, 1- bed (2 person) units and 20, 2 bedroom (3 person) units within the PRS part of the proposal. The standards set a minimum of 50m<sup>2</sup> for the 1 bed unit but these units were 47.1m<sup>2</sup> and 61m<sup>2</sup> for the 2 bed units but these units were being provided at 58.6m<sup>2</sup> to 59.4m<sup>2</sup>. Therefore in these instances the proposal was marginally less than the minimum
- The City Centre Team Leader stated there were no exemptions to the standards, but the applicant had demonstrated that by removing internal corridors to provide a more open plan layout, the internal space requirements for circulation, general amenity and minimum bedroom sizes could still be acceptably delivered.

- Officers confirmed that the pedestrian crossing was located in close proximity to the Fire Station
- The site was in close proximity to a number of bus routes, pedestrian connectivity from the site to the Universities was satisfactory, walking mainly uphill
- The highway officer confirmed access into the site was left in, left out
- The highways officer reported that there was already in place a shared bus and cycle lane along Kirkstall Road. The bridge over the river and connectivity along the tow path would also create safer cycle routes

In offering comments Members raised the following issues:

- A number of Members were of the opinion that the open plan design justified the reduction in flat size
- A small number of Members remained concerned about the size of the rooms
- The majority of Members welcomed the proposals suggesting it was a well - designed scheme.

In summing up the Chair thanked all parties for their attendance and contributions. The Chair welcomed the scheme suggesting it would regenerate a large derelict site onto the outskirts of the city centre.

(Under the provisions of Council Procedure Rule 16.5 Councillor Campbell required it to be recorded that he considered the living conditions within the student accommodation to be unacceptable)

**RESOLVED** – That the Reserved Matters Application be approved subject to a variation to the Section 106 agreement attached to the original grant of outline planning permission ref 15/06844/OT to cover variations in the plans attached in respect of:

- Reduced building block heights
- Amount of publicly accessible area
- Footprint of buildings
- Revised active frontages plan
- Updated building access points plan
- Provision of 42 off-site parking spaces on CR2 site

# **11 CITY REACH 2 - HYBRID APPLICATION FOR REDEVELOPMENT FOR RESIDENTIAL (C3 & C4), INCLUDING VEHICULAR, PEDESTRIAN/CYCLE ACCESS, SERVICING, PUBLIC OPEN SPACE, CAR PARKING, LANDSCAPING AND OFF-SITE HIGHWAY WORKS (FULL CONSENT SOUGHT FOR PART OF THE CAR PARK ONLY WITH THE REMAINDER IN OUTLINE WITH ALL MATTERS RESERVED OTHER THAN**

The Chief Planning Officer submitted a report which set out details of an hybrid application “City Reach 2” for redevelopment for residential (C3 & C4) including vehicular pedestrian/ cycle access, servicing, public open space, car



parking, landscaping and off-site highway works (Full consent sought for part of the car park only with the remainder in outline with all matters reserved other than access) at "City Reach 2" at site south of Kirkstall Road, fronting the River Aire (Former First Bus Depot Site)

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The City Centre Team Leader together with the applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

The CR2 site was seen as a continuation of CR1, and the design approach had addressed the two sites comprehensively as a result. A hybrid application was proposed to progress CR2 which would consist of the following 2 elements:

Full (Detailed) Element is for a surface level car park in the north-eastern corner of the CR2 site and provides for 83 car parking spaces. Initially these would be used for the CR1 scheme but, on completion of CR2, 41 of these spaces would be used for the CR2 scheme. Full planning permission was sought to enable this element to be delivered alongside the CR1 scheme. The area would be landscaped and would have quality surface treatments of bound gravel and block paving.

An outline planning permission was sought for the remainder of the CR2 site to comprise a residential-led development of four buildings. These would be located in the 4 quadrants of the site, two fronting Kirkstall Road and 2 fronting the River Aire with the continuation of the east-west route from the CR1 running between them. An area of open space would then run between the buildings from the river to the road intersecting the road at the mid-point. This would provide an almost continuous green pedestrian connection from Kirkstall Road through to the River Aire with the space widening out to have 2 park areas adjacent the river located to either side of the main central route in a similar manner to that proposed at CR1.

The general heights within CR2 range from 6 to 14 storeys with variations contained in the outline parameter plans to create visual interest in the sky line as well as create opportunities for roof terraces and balconies.

Three of the buildings would comprise approximately 400 Private Rented Sector (PRS) residential units. The fourth building, the south-eastern block fronting the river, would comprise approximately 130 Private For Sale (PFS) residential units. All blocks were largely rectangular in footprint with the exception of the building in the north-western corner fronting Kirkstall Road, where a 45 degree crank in the building footprint has been introduced to address the city-bound view of the scheme from Kirkstall Road.

The applicant had indicated that, at reserved matters stage, the residential mix in the PRS units would be 9% studios, 41% 1 bed, 45% 2 bed and 5% 3

bed residential apartments. In the PFS building the mix would be 35% 1 bed, 56% 2 bed and 9% 3 bed.

The applicant had made allowance for the provision of Affordable Housing on site within both the PFS and PRS accommodation (Paragraph 9.12 of the submitted report referred). In addition, the PRS accommodation would include a range of facilities for the sole use of the tenants e.g. cinema room, dining/entertainment room and touch-down spaces

Members also heard from Paul McGrath, Planning & Bids Manager, Children & Families who spoke about the school provision in the area.

Members were informed that calculations were based on 4 children for every 100 residential flats within the City Centre. Based on the proposed number of residential units it was anticipated that the whole development (City Reach 1 & 2) would generate approximately 22 school aged children.

Members raised the following questions:

- How many schools were located within a reasonable distance of the site
- Would existing schools be able to expand to provide additional capacity
- Was there just 1 access point into the site
- Was it to be assumed that the second entrance would be constructed at the same time as the car park
- The car park area appeared to be substantial, could a quality landscape scheme and maintenance plan be provided which would also provide screening along Kirkstall Road and the Riverside.

In responding to the issues raised, the applicant's representative and council officers said:

- Members were informed that there were 6 primary schools located within a 1 mile radius of the development, Rosebank Primary being the nearest
- Capacity planning would be undertaken at a later date following the receipt of data about future projections
- Highway Officers confirmed there were 2 access points into the site
- It was confirmed the second entrance would be constructed at the same time as the car park
- The applicant confirmed that a quality landscape scheme would be provided creating a strong green canopy with robust landscape structures

In offering comments Members raised the following issues:

- A comment was made that block "H" and the car park verge appeared to be close to the river
- Members welcomed the provision of 5% affordable housing

In summing up the Chair thanked all parties for their attendance and contributions suggesting Members appeared to be supportive of the application.

**RESOLVED** – That the application be approved in principle with final approval being deferred and delegated to the Chief Planning Officer subject to no objections being raised by the Environment Agency to the revised flood-risk modelling and subject to the conditions outlined in the appendix 1 of the submitted report (and such other conditions as he may consider appropriate) and following the completion of a Section 106 Agreement to secure the following obligation:

- Requirement for public access to and maintenance of all routes through the scheme and public spaces
- The provision of on-site Affordable Housing in line with para 9.12 to 9.15 of the submitted report
- Off-site highways contribution £73,000
- Travel Plan initiatives to include:
  - £4,650 Travel Plan Review fee
  - Sustainable Travel Fund of £ 78,125.14
  - Primary education contribution £135,756.54
- Maintenance obligation for roads within the site in-perpetuity
- Local Employment Initiatives
- Together with such other and ancillary clauses as the Chief Legal Officer shall consider appropriate

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

## **12 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Thursday 21<sup>st</sup> June 2018 at 1.30pm in the Civic Hall, Leeds.

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Originator: Richard Smith

Tel: 2224409

## Report of the Chief Planning Officer

### **CITY PLANS PANEL**

**Date: 21<sup>st</sup> June 2018**

**Subject: Pre-application presentation for Leeds Flood Alleviation Scheme Phase 2 (PREAPP/18/00332) at River Aire through the areas of Leeds City Centre, Kirkstall Valley And Newlay**

**PRE-APPLICANTS: Leeds City Council**

#### **Electoral Wards Affected:**

**Hunslet & Riverside, Armley, Kirkstall,  
Bramley & Stanningley, Calverley &  
Farsley**

☐ Yes Ward Members consulted – (but on wider project)

#### **Specific Implications For:**

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

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

## **1.0 INTRODUCTION:**

- 1.1 This presentation is intended to inform Members of the emerging proposals for the Leeds Flood Alleviation Scheme Phase 2 (LFAS2). Following construction and completion on site of Phase 1 (City Centre, Hol Beck, Knostrop, Woodlesford), the applicant has submitted an Outline Business Case to Central Government for funding purposes to assist in part financing of the £112.1m scheme. Members will be asked to comment on this emerging scheme.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The scheme covers a stretch of waterway totalling 8km in length. It is mainly centred on the River Aire and extends from the City Centre (south of Whitehall Road) through the Kirkstall Road corridor, along to Armley Mills, onto St Ann's Mill, passing Kirkstall Bridge / Kirkstall Retail Park, south of Kirkstall Abbey, onto Calverley where an attenuation storage area is proposed and finally reaching just into the Bradford Metropolitan District boundary at Appleley Bridge. Additional Natural Flood

Management proposals, including a substantial tree planting programme in upper catchments of the Aire (contributing to the creation of the Government backed initiative The Northern Forest), but although part of the wider LFAS2 project, these measures are being undertaken separate to the pending planning application.

- 2.2 The surrounding context therefore is a mixture of City Centre residential and office developments, cleared development land, light and heavy industry, retail and leisure parks (including Cardigan Fields, Kirkstall) before emerging into sub-urban and a more rural / agricultural setting further upstream.

### **3.0 PROPOSAL**

- 3.1 The scheme proposal aligns with the Upper Flood Risk Management Strategy which promotes a 1 in 200 year (0.5%) standard of protection (SoP) + climate change to reduce the risk of flooding in developed areas of Leeds.

- 3.2 This consists of:

- Enhancing the ability / performance of the functional flood plain at Calverley by provision of an embankment and active control structure to hold back the flow during high return period flood events. This would provide capacity of 0.7M cubic metres of water storage (giving potential to reduce flood flows by 5%). This also includes an access road and control building.
- Providing linear defences at low lying locations to protect existing assets. The selection of defence type will be appropriate to each location and include property level protection, embankments, masonry clad concrete walls, sheet piles and glazed panels, similar to those provided as part of the Phase 1 scheme. These would be built to 1:200 year SoP + climate change to 2039 (assuming attenuation is also provided). These walls vary from 1.2m to 1.5m high (with some isolated localised sections at 2.5m high)
- Removal of obstructions to flow including replacing the redundant bridge at Milford Place with a new bridge, raising of the existing pedestrian footbridge at Milford Place, removal of redundant sub-structure to the Redcote Lane bridge\* and removal of a redundant pipe bridge adjacent to Washington Street.
- Provide new sluices, flap valves and flow control structures to protect the listed building at Armley Mills Industrial Museum.
- Provide new flow control structures to manage flood risk from the historic goits at Kirkstall Abbey and St Ann's Mills.
- Pumping measures for surface water runoff.
- Scour protection to river banks.

Additionally it should be noted that in respect of Phase 2:

- advanced works to include flood protection at Stourton Industrial Estate have been already granted planning permission under ref. 17/06634/LA and have commenced on site
- a wide programme of upland / upstream tree planting outside of the Leeds district is being developed (but which does not form part of the pending planning application)
- \*the removal of Redcote Lane bridge is part of project but which does not require planning permission

- 3.3 Furthermore to maximise future economic regeneration benefits, enhancements arising from the scheme have been planned including provision of access

improvements along the corridor and woodland creation at Kirkstall Valley Nature Park and the upland planting proposals mentioned above in paragraph 2.1.

3.4 Similar to Phase 1, the exact detail of linear works walling materials and such like are not specified at this stage and it is expected much of the detail of this, will be controlled through future planning conditions to reflect the differing characteristics of surrounding town and landscapes along the route.

3.5 The project objectives can be summarised as follows:

- To reduce flood risk to people and property as much as can be economically justified, providing a good standard of protection to the areas currently at risk.
- To stimulate sustainable economic growth in developed and previously developed floodplain areas, where there is no scope to restore these to functional floodplain.
- To increase the ability of people and businesses to cope with, and rapidly recover from, the impact of floods.
- To work in partnership with communities and stakeholders to create a great place for living; protecting and enhancing the natural environment and landscape, whilst improving access to recreational opportunities.
- To demonstrate best value for money.

## **4.0 HISTORY OF NEGOTIATIONS AND RELEVANT PLANNING HISTORY**

4.1 Officers have had a series of meetings with the applicants to inform and develop the scheme detail further to site specific characteristics, opportunities and constraints faced including nature conservation, heritage conservation interests, public accessibility and recreation.

## **5.0 RELEVANT PLANNING POLICIES**

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

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied, only to the extent that it is relevant, proportionate and necessary to do so.

6 and 7: sets out that planning should be committed to achievement of sustainable development and that the system should perform three key roles: economic, social and environmental.

It identifies 12 core planning principles (para 17) which include that planning should:

- Proactively drive and support sustainable economic development to deliver homes
- Seek high quality design and a good standard of amenity for existing and future occupants.

18: The Government is committed to securing economic growth in order to create jobs and prosperity.

61: Visual appearance and architecture of individual buildings are important factors alongside connections between people and places, integration of new development into natural, built and historic environment.

66: states that applicants will be expected to work closely with those directly affected by development to evolve designs that take account of the views of the community.

69: Planning policies / decisions should aim to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life and community cohesion.

75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are: • mineral extraction; • engineering operations; • local transport infrastructure which can demonstrate a requirement for a Green Belt location; • the re-use of buildings provided that the buildings are of permanent and substantial construction; and • development brought forward under a Community Right to Build Order.

93. Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

94. Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

109. The planning system should contribute to and enhance the natural and local environment by: • protecting and enhancing valued landscapes, geological conservation interests and soils; • recognising the wider benefits of ecosystem services; • minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; • preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and • remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

131: LPAs should take account of desirability / viability of heritage assets consistent with their conservation; the positive contribution of heritage assets to sustainable economically viable communities; new development making a positive contribution to local character and distinctiveness.

## 5.2 Development Plan

5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (adopted November 2014).



- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy.
- The Natural Resources & Waste Local Plan (NRWLP, adopted January 2013) including revised policies Minerals 13 and 14 (adopted September 2015).
- Aire Valley Area Action Plan (adopted November 2017).
- Any Neighbourhood Plan, once adopted.

### 5.2.2 Adopted Leeds Core Strategy

The site is located across a variety of settings along the river corridor and includes some areas of greenspace such as Kirkstall Valley Nature Reserve and Green Belt (below Kirkstall Abbey going west)

Relevant Core Strategy policies include:

Spatial Policy 1 – Location of Development - sets out the broad spatial framework for the location and scale of development. Part vi) recognizes the key role of new infrastructure supporting communities and economic activity.

Spatial Policy 11 – Transport Infrastructure Investment Priorities – Sets out a range of strategic measures. These infrastructure improvements/interventions which are also supported by the demand management measures outlined in Policy T1 including iv) expansion of the Leeds Core Cycle Network to improve local connectivity and v) Improved facilities for pedestrians to promote safety and accessibility, particularly connectivity between the ‘Rim’ and the City Centre,.

Spatial Policy 13 – Strategic Green Infrastructure – outlines that the Council will seek to enhance key corridors in the Leeds District including Kirkstall Valley Park.

Policy CC3: Improving connectivity between the City Centre and neighbouring communities – refers to support for improved walking and cycling connections where opportunities arise.

Policy P10 - Design - requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.

Policy P11 – Conservation - Development to respect designated and undesignated heritage assets

Policy P12 – Landscape – Development should conserve and protect distinctive landscapes.

#### Policy G1: Enhancing and extending Green Infrastructure

Where a development is considered to be acceptable within or adjoining areas defined as Green Infrastructure on Map 16 or on any future LDF Allocation Documents, development proposals should ensure that:

- (i) Green Infrastructure/corridor function of the land is retained and improved, particularly in areas of growth,
- (ii) Where appropriate, the opportunity is taken to extend Green Infrastructure by linking green spaces or by filling in gaps in Green Infrastructure corridors, including (where relevant) extending these into Leeds City Centre. Street trees and green roofs are particularly encouraged,
- (iii) A landscaping scheme is provided which deals positively with the transition between development and any adjoining open land,

- (iv) The opportunity is taken to increase appropriate species of woodland cover in the District,
- (v) Provision for and retention of biodiversity and wildlife,
- (iv) Opportunities are taken to protect and enhance the Public Rights of Way (PROW) network through avoiding unnecessary diversions and by adding new links.

Policy G8 – Protection of Important Species and Habitats - Development will not be permitted which would seriously harm, either directly or indirectly, any sites designated of national, regional or local importance for biodiversity or geological importance or which would cause any harm to internationally designated sites, or would cause harm to the population or conservation status of UK or West Yorkshire Biodiversity Action Plan (UK BAP and WY BAP) Priority species and habitats. In considering development proposals affecting any designated sites and UK or WY BAP Priority species or habitats, the needs of the development and the requirements to maintain and enhance biological and geological diversity will be examined.

Other than the above requirement particular account will be taken of:

- The extent and significance of potential damage to the interest of any national, regional or local site, or UK or WY BAP Priority species or habitat, and
- Demonstration that the need for the development outweighs the importance of any national, regional or local site, or UK or WY BAP Priority species or habitat, and
- The extent that any adverse impact could be reduced and minimised through protection, mitigation, enhancement and compensatory measures imposed through planning conditions or obligations and which would be subject to appropriate monitoring arrangements.

Policy G9 – Biodiversity Improvements –

Development will be required to demonstrate:

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

Policy EN5 – Managing Flood Risk – parts iv) confirm that making space for flood water in high flood risk areas and vii) the development of the Leeds Flood Alleviation Scheme are important elements in managing and mitigating flood risk.

### 5.2.3 Leeds Unitary Development Plan Review 2006 (UDPR) – Saved Policies

- GP5 all relevant planning considerations
- N1A Protection of Allotments
- N6 Protection of Playing Pitches
- N8 Urban Green Corridors
- N17 Listed Buildings Character and Appearance
- N20 Conservation Areas and Retention of Features
- N35 Development and Agricultural Land
- N37 Special Landscape Areas
- N39B Watercourses and New Development
- N43 Informal Outdoor Recreation
- BC7 Development in Conservation Areas

- LD1 Landscape Schemes

#### 5.2.4 Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Development Plan Document (Local Plan) 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. Relevant policies include:

- Water 3 Functional Flood Plain
- Water 4 Development in Flood Risk Areas
- Water 6 Flood Risk Assessments
- Water 7 Surface Water Run-off
- Land 2 Development and Trees

## 6.0 **KEY ISSUES**

### 6.1 Creating Sustainable Communities

6.1.1 LFAS2 is of significant strategic importance to the creation of sustainable communities in Leeds, by aiming to give additional flood protection to a large number of residential and commercial properties, many of which lie in high risk flood zone 3 catchment of the River Aire. Although historical flood events have been recorded along the Aire since 1866, in more recent years, there have now been four significant flood events since 2000, with the worst, Boxing Day 2015, seeing damaging flood levels to communities across West and Central Leeds, which affected 678 commercial properties and 3368 residential properties. The Leeds Flood Alleviation has been split into phases due to funding reasons. Following the on-site construction completion of Phase 1, the importance of Phase 2 in providing additional protection to properties affected (primarily upstream of the City's Railway Station) is crucial to further safeguarding residential and economic investment within the City.

6.1.2 Policy EN5 of the Core Strategy underlines the Council's support for the development of a scheme. Spatial Policy 1 recognises the role of infrastructure like this supporting sustainable communities. This is directly related to the sustainable development principles outlined in the heart of the NPPF. Communities within the route corridor are still recovering from the effects of the 2015 Boxing Day floods.

6.1.3 A number of businesses within the Kirkstall Road corridor have relocated or ceased trading. Leeds is the third largest employment centre in the UK contributing £16.3 billion gross added value to the economy. The scheme intends to sustain business confidence in Leeds. The scheme would also help safeguard a key transportation corridor into and out of Leeds City Centre, notably the Airedale / Wharfedale train line, which currently only benefits from a 1 in 2 years standard of protection. The A65 which is a major arterial route along the corridor and into the City will also benefit from enhanced protection.

### 6.2 Visual and Environmental Impact

6.2.1 The scheme aims to also protect and conserve nature conservation interests along the route corridor and where opportunities arise enhance them through local projects such as at Kirkstall Valley Nature Reserve (improvements in accessibility).

- 6.2.2 The project is based on a catchment-wide approach to options identification and appraisal between Leeds City Council working in partnership with the Environment Agency and Bradford City Council (a small section of flood defence works are proposed in the Apperley Bridge area). The project aims to provide the most cost effective and sustainable solutions in the long term. This also includes the Natural Flood Management objectives which although not to be included within the pending planning application, form a significant part of the ongoing commitment of the project to sustainably address flood risk through a variety of measures.
- 6.2.3 The water storage control structure at Calverley would be used only in times of heightened flood risk; otherwise it is considered it would largely remain operational as agricultural land. In reference to its Green Belt setting, the means to landscape these works gently using relatively shallow new embankments, natural contours and a control structure will continue to leave the land permanently open.
- 6.2.4 The heights of the linear defences are set (generally) to low levels at less than 1.5m high (some localised sections are higher at 1.8m or more). These have been designed to the lowest possible levels in accordance with the need to provide the 1:200 year + climate change SoP desired. The exact choice of materials and precise design very much dependent on the specific characteristics of the area's surrounding context and factors including pedestrian connectivity and permeability.
- 6.2.5 The site specific design details are still emerging but individual approaches are being considered on a site specific basis which will sensitively protect nature conservation and heritage conservation interests (considerations of setting and special protection to listed buildings including Kirkstall Abbey as an Ancient Monument). The scheme will also protect and enhance nature conservation interests through the route. A suite of documentation to this effect has been submitted as part of an Environmental Impact Assessment Scoping Report.

### 6.3 Future additional Works

- 6.3.1 The scheme would also like to provide enhanced recreational opportunities through the route corridor with cycle-ways, improved footbridge crossings and visitor enhancements to local assets such as Kirkstall Valley Nature Reserve. However as this is subject to successfully securing additional future funding, these measures may likely be contained within a supplementary application alongside the main works application.

## 7.0 **CONCLUSION:**

7.1 Members are asked to comment on particularly:

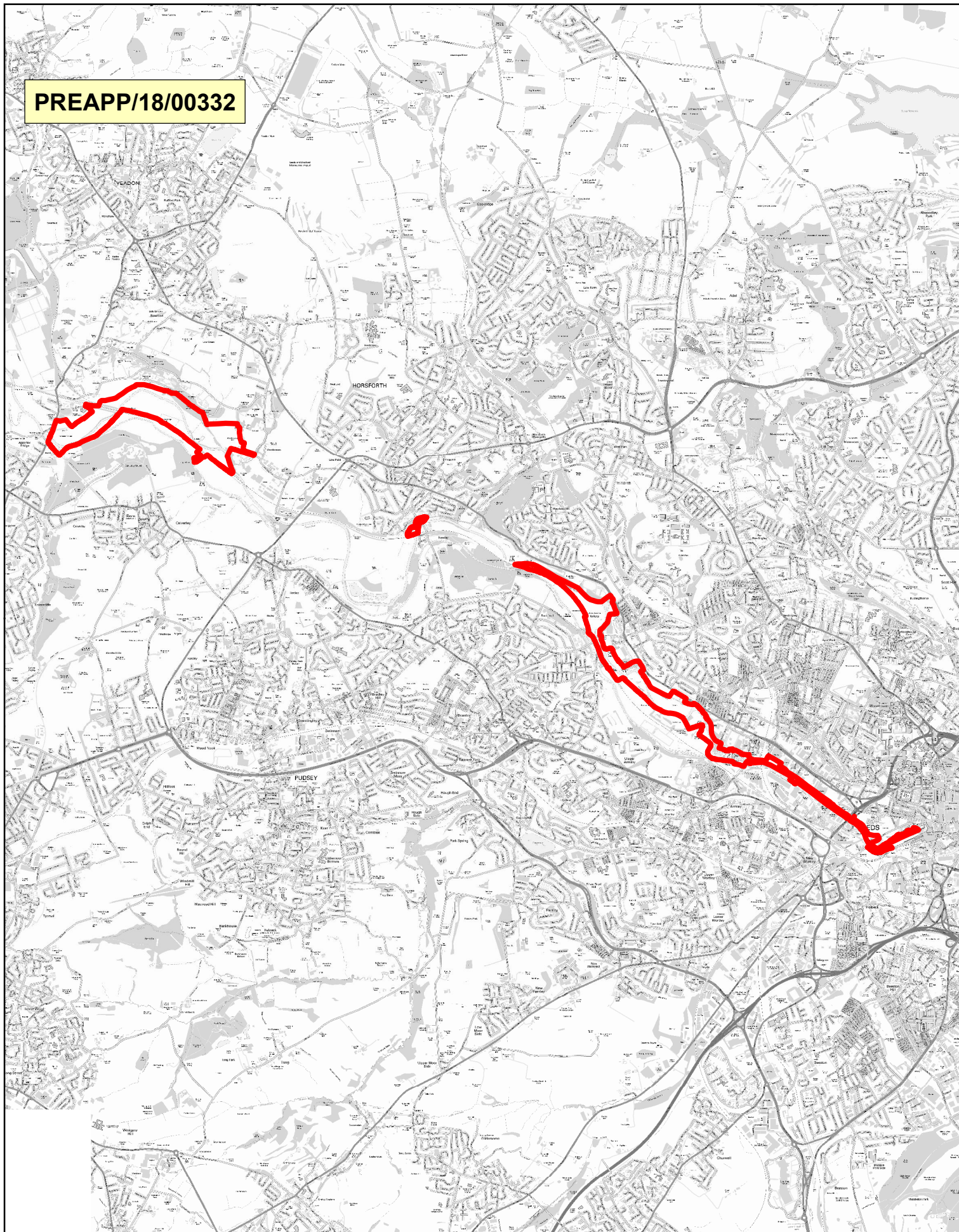
1. **Can Members confirm their support in principle for the continued development of Phase 2 of the Leeds Flood Alleviation Scheme?**
2. **Do Members have any site specific comments to make about the scheme to help in forming ongoing design planning and detailing?**

## **BACKGROUND PAPERS:**

Pre-application file: PREAPP/18/00332



PREAPP/18/00332



# CITY PLANS PANEL

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Originator: Sarah McMahon

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 21 June 2018

**Subject: PREAPPLICATION - Amendment to determined applications 16/06877/FU and 16/06878/LI for the partial demolition of 17 Wellington Street and total demolition of 49 Aire Street, to extend and change the use of the existing building to form a 54 bed boutique hotel (Use Class C1) with a new basement for back of house areas and a ground floor reception and restaurant with bar (Use Class A3/A4) at 17 Wellington Street, Leeds, LS1 4DL**

**APPLICANT** Hallborough Properties Ltd - Mr S Drane

#### Electoral Wards Affected:

Hunslet & Riverside

☐ 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 proposed changes to the previously approved scheme to allow Members to consider and comment on the proposals at this stage.**

## 1.0 INTRODUCTION:

- 1.1 Members will recall granting consent at City Plans Panel on 27 April 2017 for demolitions and an extension of the host listed building at 17 Wellington Street to allow it to be brought into use as a residential scheme with a ground floor restaurant. The Applicant has been in discussions with potential operators and has received interest from a boutique hotel provider. As such the proposals to change the use and reconfigure the previous approved scheme are brought back to Plans Panel for Member's view at this emerging stage for this major investment in an important heritage asset which is located in a key location within the City Centre

## 2.0 PROPOSAL

- 2.1 The previous consented development sought to provide 26 apartments, a ground floor and lower ground floor level A3 restaurant, an internal bin store at the ground

floor level and basement cycle storage, laundry area and gymnasium for residents under planning references 16/06877/FU and 16/06878/LI.

2.2 The proposal now put forward would result in a fresh application which would amend the consented scheme in the following manner:

1. Reduced level of demolitions to the existing building at 17 Wellington Street with the retention of the west wing of the building apart from breaking through sections of brick work to the wing's east facing wall.
2. The use of the existing listed building and its new extension as a 54 bed boutique hotel with formerly approved residential use falling away.
3. The creation of an enlarged basement to house a staff room, restaurant toilets, a kitchen area, a bin store and service lift
4. The reconfiguration of the ground floor to allow the existing west wing detailed stone doorway to become an entrance to the restaurant, rather than to a bin store as was previously proposed.
5. Minor changes to the window arrangement in the south facing façade of the new build extension to accommodate the requirements of the hotel use.

### **3.0 SITE AND SURROUNDINGS:**

3.1 The site is located between Wellington Street and Aire Street in Leeds City Centre and comprises two properties, 17 Wellington Street, as the principal building facing Wellington Street and to the rear an annexe building, 49 Aire Street. 17 Wellington Street is a 6 storey L shaped former warehouse converted for office use in the late 1980's and 49 Aire Street, is a small detached three storey property in the south eastern corner of the site. 17 Wellington Street is a Grade II listed building and is within the boundary of the City Centre Conservation Area. To the east is an open triangular shaped site which is currently in use as a surface car park, but on which a 14 storey building, known as City Square House, is proposed. Wellington Street is characterised by a number of red brick, stone and terracotta historic buildings of 4 to 6 storeys (with 19, 21 to 23, 34, 38 and 52 Wellington Street and the Majestic building all being Grade II Listed Buildings) with more contemporary taller buildings sited further to the west along the street. Aire Street has a mix of 4 to 6 storey historic former warehouse buildings set between the taller Princes Exchange and other taller contemporary office and hotel buildings.

### **4.0 RELEVANT PLANNING HISTORY:**

4.1 Planning permission and listed building consent was granted for the partial demolition of 17 Wellington Street and total demolition of 49 Aire Street, change of use and seven storey extension with a new basement to remaining building to form restaurant and cafe use (A3) on ground and first floor and 26 apartments on 5 June 2017, application references 16/06877/FU and 16/06878/LI.

### **5.0 HISTORY OF NEGOTIATIONS:**

5.1 The amendments have been the subject of discussions between the Developers, their Architects, and Local Authority Officers since 2 November 2017.

5.2 Ward Members were consulted on the current proposals on 29 January 2018.

### **6.0 RELEVANT PLANNING POLICIES:**



- 6.1 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.
- 6.2 Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and paragraph 14 goes on to state that there should be a presumption in favour of sustainable development.
- 6.3 Paragraph 17 of the NPPF sets out the Core Planning Principles for plan making and decision taking. The 4th principle listed states that planning should always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 6.4 The 8th principle listed states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
- 6.5 The 10th principle listed states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- 6.6 Paragraph 126 states that it is desirable to sustain and enhance the significance of heritage assets and that new development should make a positive contribution to local character and distinctiveness.
- 6.7 Paragraph 134 states where a development proposal will lead to less than ` substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 6.8 The Development Plan for Leeds currently comprises the following documents:
1. The Leeds Core Strategy (Adopted November 2014)
  2. Saved Leeds Unitary Development Plan Policies (Reviewed 2006), included as Appendix 1 of the Core Strategy
  3. The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015).
  4. Aire Valley Leeds Area Action Plan (Adopted November 2017)
  5. Any Neighbourhood Plan, once made.
- 6.10 **Leeds Core Strategy**
- 6.11 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. Relevant Policies include:
- 6.12 Policy SP3(i) states that the importance of the city centre as an economic driver for the district and city region will be maintained and enhanced by promoting the City Centre's role as a regional capital for major new retail, leisure, hotel, culture and office development.
- 6.13 Policy P10: Design states that:  
New development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis to provide good design appropriate to its scale and function.

New development will be expected to deliver high quality innovative design that has evolved, where appropriate, through community consultation and which respects and enhances the variety of existing landscapes, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place, contributing positively towards place making and quality of life and be accessible to all.

- 6.14 Policy P11: Conservation states that development proposals will be expected to demonstrate a full understanding of historic assets affected. Heritage statements assessing the significance of assets, the impact of proposals and mitigation measures will be required to be submitted by developers to accompany development proposals.

6.15 **Leeds Unitary Development Plan Review 2006 - Retained Policies**

- 6.16 Relevant Policies include:  
Policy BD2 (Design and siting of new buildings)  
Policy BD5 (All new buildings and amenity)  
Policy GP5 (All planning considerations)  
Policy N15 (Changes of use of listed buildings)  
Policy N16 (Extensions to listed buildings)  
Policy N17 (All listed buildings)

6.17 **Leeds Natural Resources and Waste DPD 2013**

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. 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. Policies regarding land use, energy, coal recovery, drainage, and waste will be relevant to this proposal.

6.18 **Supplementary Planning Guidance**

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

**7.0 KEY ISSUES**

7.1 Principle of the proposed use

- 7.2 Officers consider that the proposed uses as a hotel with ground floor restaurant are appropriate city centre uses that would bring vibrancy and vitality to the host listed building, wider street scene and this part of the City Centre Conservation Area. The uses would add positively to both the day time and evening economies of the city centre in accordance with the aspirations of Core Strategy policy SP3(i). As such the principle of the change of use now proposed is supported by Officers.

**7.3 Do Members support the principle of the uses?**

7.4 Proposed demolitions and design

The current scheme proposes a much reduced level of demolition compared to the approved scheme which involved the demolition of No.49 Aire Street and the majority of rear (west) wing of the Listed 17 Wellington Street. The current proposals remain for the full demolition of No.49 Aire Street but only partial removal of some

sections of external walling to the eastern face of the west wing and rear of the main building at 17 Wellington. This would be to allow the creation of a large floor area at ground floor level for the restaurant use. This means that the main body of the listed building plus the majority of the building's rear wing are now to be retained. In addition internal removal of a contemporary stair and lift core and modern fit out partitioning as well as some changes to the internal floors are still required.

- 7.5 Officers consider that the revised level of demolitions will lead to less than substantial harm to the significance of the designated heritage asset, and as such the proposals need to be justified in accordance with the considerations of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that decision makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings. Case law has held that once harm to a listed building is established, considerable weight needs to be attached to that harm. The National Planning Policy Framework (NPPF) advises that there is a presumption against the granting of planning permissions for the schemes requiring the demolition of listed buildings unless it can be demonstrated that the public benefits outweigh the harm including securing its optimum viable use.
- 7.6 Officers consider that the very minimal areas of the rear (west) wing to be demolished, and the standalone building No.49 Aire Street are of little architectural or historical significance in relation to the main body and largely retained elements of the rear wing of the Grade II listed building.
- 7.7 Officers also acknowledge that the demolitions would allow the main body and much more of the rear wing of the listed building to be brought back into use, which would be of significant benefit.
- 7.8 The scheme will largely retain its former external appearance as approved under applications 16/06877/FU and 16/06878/LI, with some minor changes to the window pattern to the south face of the new extension to allow the scheme to accommodate the hotel use. An atrium would be maintained through the eastern side of the site allowing the rear of the main body and the rear wing of the host listed building to be retained almost in their entirety, apart from some breaking through of the host building to create a large floor area for restaurant use and to connect the wing and main building to the atrium.
- 7.9 The scheme will retain the same design ethos as consented on applications 16/06877/FU and 16/06878/LI in its proposed creation of a contemporary building attached to the listed building. However, more of the most important facades and external historic features of the rear wing are now proposed to be retained. Officers considered that the development as now proposed would complement rather than compete with the host listed building and the surrounding heritage rich, but architecturally mixed setting. The amended proposal would sit comfortably within the context of the existing retained Grade II listed building (17 Wellington Street) and predominantly retained rear wing, and within the mixture of historic and contemporary buildings along Aire Street, as well as this part of the City Centre Conservation Area.
- 7.10 Whilst the proposals would result in the loss of parts of a listed building and the demolition of the standalone No.49 Aire Street (as was previously approved on applications 16/06877/FU and 16/06878/LI), the attractive historic façades of the rear (west) wing of the host listed building to Aire Street and to its east facing façade will now be retained, with some openings created in the said façade. The new block, which will be of a high quality design, will be built around the largely retained rear

(west) wing. The new build element would still utilise an appropriate brick as its principle material fronting Aire Street and would remain of a scale in keeping with the built form in the wider area. As such it considered that the proposal is likely to, on balance, enhance the character and visual amenity of this part of the City Centre Conservation Area.

**7.11 Do Members support the proposed demolitions and design of the proposals?**

**7.12 Highway Impact**

7.13 No car parking is proposed for the hotel and restaurant and bar use. Whilst this is considered acceptable in this highly sustainable location with good access to public transport and widespread on-street parking controls, discussions are still taking place with the applicants regarding the approach to servicing, deliveries and taxi-drop off and pick up requirements for the proposed uses. A verbal update will be provided on these matters at Plans Panel.

**7.14 Do Members support the approach to servicing and access?**

**8.0 CONCLUSION**

8.1 The key questions asked in the report above are as following:

**8.2 Do Members support the principle of the uses?**

**8.3 Do Members support the proposed demolitions and design of the proposals?**

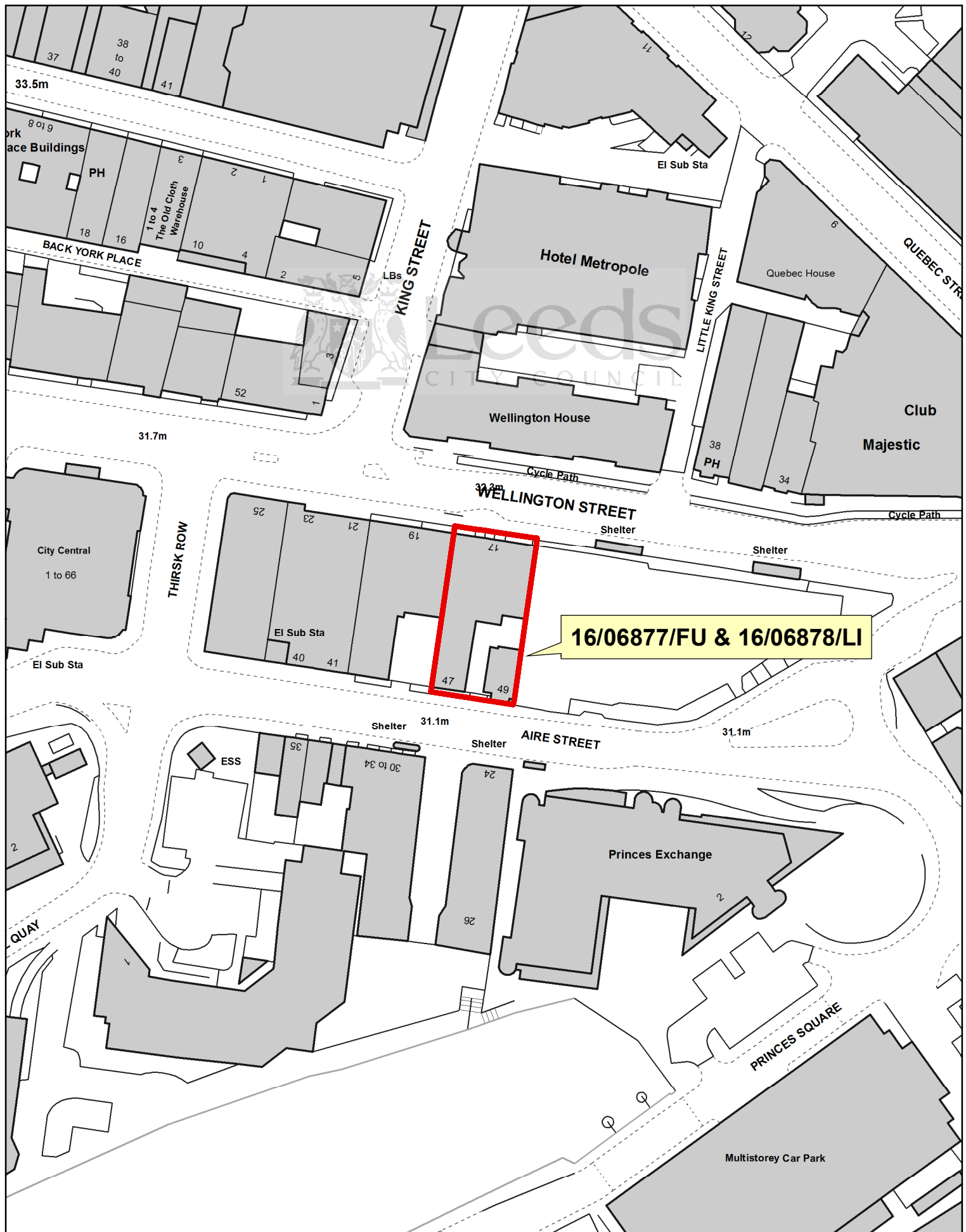
**8.4 Do Members support the approach to servicing and access?**

**8.5 Do Members agree for the formal applications to be determined pursuant to officer delegated powers?**

**Background Papers:**

16/06877/FU

16/068787/LI



# CITY PLANS PANEL



