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## CITY PLANS PANEL

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Meeting to be held in Civic Hall, Leeds on  
Thursday, 23rd August, 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			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence (If any)</p>	
6			<p><b>MINUTES OF THE PREVIOUS MEETING</b></p> <p>To consider and approve the Minutes of the previous meeting held on 12<sup>th</sup> July 2018.</p> <p>(Copy attached)</p>	3 - 14
7			<p><b>MATTERS ARISING FROM THE MINUTES</b></p> <p>To consider any matters arising from the Minutes.</p>	
8	Little London and Woodhouse		<p><b>APPLICATION NO.18/01711/FU - ERECTION OF A PART 6 NO. / PART 16 NO. STOREY STUDENT ACCOMMODATION BUILDING WITH GROUND FLOOR COMMERCIAL UNITS (USE CLASS A1, A2, A3, A4, B1 AND D2) AND ASSOCIATED LANDSCAPING WORKS AT LAND AT PORTLAND CRESCENT, LEEDS, LS2 8BL</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of an application for the erection of a part 6 No. / part 16 No. storey student accommodation building with ground floor commercial units (Use Class A1, A2, A3, A4, B1 and D2) and associated landscaping works at land at Portland Crescent, Leeds LS2 8BL</p> <p>(Report attached)</p>	15 - 36

Item No	Ward	Item Not Open		Page No
9	Little London and Woodhouse		<p><b>APPLICATIONS NOS:18/02735/FU AND 18/02736/LI - CHANGE OF USE OF 4 RETAIL UNITS TO A SINGLE A3 RESTAURANT UNIT (INCLUDING SUBSTANTIAL FACADE RESTORATION), THE CREATION OF A NEW CIRCULATION ATRIUM TO SERVE OPERA NORTH'S HOWARD ASSEMBLY ROOM AND SUPPLEMENTARY INTERNAL ALTERATIONS, THE REFURBISHMENT OF THE EXISTING PREMIER HOUSE OFFICE BUILDING, INCLUDING FACADE RE-MODELLING AND THE INTRODUCTION OF A NEW EDUCATION SUITE AT GROUND FLOOR LEVEL, AN ASSOCIATED LINKAGE TO, AND TWO-STOREY EXTENSION OF, THE ADJACENT LINACRE / HAREWOOD STUDIO WITHIN PREMIER HOUSE, AT OPERA NORTH, THE GRAND THEATRE, 46 NEW BRIGGATE, LEEDS, LS1 6NU.</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of an application which seeks the change of use of 4 retail units to a single A3 restaurant unit (including substantial facade restoration), the creation of a new circulation atrium to serve Opera North's Howard Assembly Room and supplementary internal alterations, the refurbishment of the existing Premier House office building, including facade re-modelling and the introduction of a new Education Suite at ground floor level, an associated linkage to, and two-storey extension of, the adjacent Linacre / Harewood studio within Premier House, at Opera North, the Grand Theatre, 46 New Briggate, Leeds, LS1 6NU.</p> <p>(Report attached)</p>	37 - 58

Item No	Ward	Item Not Open		Page No
10	Little London and Woodhouse		<p><b>PREAPP/18/00067 - PARTIAL DEMOLITION AND REBUILDING OF THE LEONARDO BUILDING, THE CONVERSION OF THORESBY BUILDING AND 2 GREAT GEORGE STREET FOR A CHANGE OF USE FROM OFFICES TO A MIX OF HOTEL, OFFICE, RESTAURANT/CAFÉ AND BAR USES AND THE EXTENSION OF EXISTING BUILDINGS, WITH A NEW BUILD HOTEL ON CAR PARK SITE AT THE LEONARDO BUILDING, THORESBY HOUSE AND 2 GREAT GEORGE STREET, LEEDS, LS2 8HD</b></p> <p>To consider a report by the Chief Planning Officer which sets out details of a pre application presentation which seeks the partial demolition and rebuilding of the Leonardo Building, the conversion of Thoresby Building and 2 Great George Street for a change of use from offices to a mix of hotel, office, restaurant/café and bar uses and the extension of existing buildings, with a new build hotel on car park site at The Leonardo Building, Thoresby House and 2 Great George Street, Leeds, LS2 8HD</p> <p>(Report attached)</p>	59 - 72
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>To note that the next Meeting will take place on Thursday, 13<sup>th</sup> September 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.

**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: 13.8.2018

Dear Councillor

**SITE VISITS – CITY PLANS PANEL – THURSDAY 23<sup>rd</sup> August 2018**

Prior to the meeting of City Plans Panel on Thursday 23<sup>rd</sup> August 2018 the following site visits will take place.

Time	Ward	Site
10.20 - 11.00am	Little London & Woodhouse	Applications 18/02735/FU and 18/02736/LI – Opera North, 46 New Briggate, Leeds
11.10 - 11.50	Little London & Woodhouse	Preapplication PREAPP/18/00067 – Leonardo Building, Thoresby House and 2 Great George Street, Leeds

Please notify Daljit Singh (Tel: 3787971) if you will be attending and meet in the Ante Chamber at **10.00 am at the latest. We will be travelling by foot.**

Yours sincerely

Daljit Singh  
Central Area Team Leader

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## CITY PLANS PANEL

THURSDAY, 12TH JULY, 2018

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

Councillors D Blackburn, T Leadley,  
N Walshaw, C Campbell, A Khan,  
A Garthwaite, E Nash, C Gruen,  
J Goddard, B Anderson, D Cohen and  
P Wadsworth

A Member's site visit was held in connection with the following applications:  
Application No.18/02523/FU – Cloberry Street, Leeds, Application No.  
18/01819/FU – Hume House, Tower House Street, Leeds and Application No.  
18/02139/FU – Q1 residence, Wade Lane, Leeds and was attended by the  
following Councillors: J Mckenna, A Khan, A Garthwaite, E Nash, C Gruen,  
R Grahame, C Campbell, B Anderson, P Wadsworth, T Leadley and D  
Blackburn

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

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

### **24 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.

### **25 Late Items**

There were no late items of business to be considered.

### **26 Declarations of Disclosable Pecuniary Interests**

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

### **27 Apologies for Absence**

Apologies for absence were received from Councillor P Carlill.

Councillor R Grahame was in attendance as a substitute Member

### **28 Minutes of the Previous Meeting**

The Minutes of the previous meeting held on 21<sup>st</sup> June 2018 were submitted for comment / approval.

**RESOLVED** – That the minutes of the previous meeting held on 21<sup>st</sup> June 2018 be accepted as a true and correct record.

**29 Matters Arising from the Minutes**

There were no issues raised under Matters Arising.

**30 Application No. 18/01819/FU - Demolition of existing building and erection of 37 storey student accommodation building, Hume House, Wade Lane, Merrion Way and Tower House Street, Leeds**

With reference to the meeting of 15<sup>th</sup> February 2018 when Members received a pre-application presentation in respect of this site.

The Chief Planning Officer now submitted a report which set out details of an application which sought the demolition of the existing building and the erection of a 37 storey student accommodation building at Hume House, Wade Lane, Merrion Way and Tower House Street, 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 was to demolish the existing building and to construct a 37 storey building in its place. The long axis of the building would align with Wade Lane to the southeast rather than Tower House Street as the present structure. As such, the spine of the building would run south-west to north east. The slender southern elevation of the building would project approximately 11m forward of the existing building towards Merrion Way albeit the lowest two levels above ground primarily around the southern and western frontage would be set some 3m further inboard. The upper body of the building also oversails areas of the lowest levels on the eastern elevation. At its closest point the northern elevation of the building would be 8.5m from the Arena Village tower and the west corner 11m from Arena Point, albeit the orientation of the building to its neighbours is such that distances markedly increase from these positions.
- The building would have two small areas of basement. The ground floor of the student accommodation building would comprise the reception and management offices, a common room including a double-height space around the southern entrance, and other supporting facilities such as the management suite and bicycle storage. Level 1 would contain an additional common room and services including the laundrette, plant room and bin store served by its own lift. Further study rooms are proposed at Level 24 and 35. Excluding the cluster space 546m<sup>2</sup> of internal dedicated amenity space is proposed and an external roof terrace is identified at Level 35 (204m<sup>2</sup>). The

student accommodation comprises a mix of studios (22m<sup>2</sup>) and 4, 5 and 6 bedroom clusters (study cluster bedrooms would typically be 14m<sup>2</sup>). Associated kitchen / living areas would be 21-24m<sup>2</sup> for 4 bedroom clusters; 25-27m<sup>2</sup> for 5 bedroom clusters; and 30-35m<sup>2</sup> for 6 bedroom clusters. In total, 96 studios and 135 clusters (656 bedrooms) are proposed, 752 bedspaces overall.

- Active areas at the lowest two levels of the building would have double-height glazing with a cantilevered soffit height of approximately 7.5m. Above this point the building extrudes vertically to level 25 above which the component fronting Merrion Way checks back and in and terminates with a roof terrace above level 35. On the Wade Lane elevation a full height recess distinguishes the southern component from the longer northern component which continues up to level 37. The arrangement fronting Tower House Street is different as beyond the recess the central section of the building projects out 5 metres for a length of 15m before stepping back to the northern section of the building.
- Above the double height glazed base the main body of the building would be ordered and disciplined, formed of smaller domestic elements of which it would be composed. It is intended that a high-quality off-white artificial stone with a light acid etching is used as the principal building material. Moulded panels may be introduced at the plinth level to add additional texture. Building fenestration and architectural metalwork would contrast with the cladding with a rich anodic bronze coating.
- A new layby would be formed on the east side of Tower House Street to be used for deliveries and student drop-off at the beginning and end of years. It is intended to reduce kerb-levels and to enhance the surface to make Tower House Street more pedestrian-friendly. A new paved surface is proposed to the public realm immediately surrounding the development. Raised planters would be introduced towards the north side of the building, including new street trees, together with totem structures to assist in wind mitigation. Similar totem structures are proposed to the front, southern end, of the building as wind mitigation but also intended to serve the dual purpose of public art. A specimen tree would be planted closer to Merrion Way to replace the existing tree that would need to be removed.
- The application is accompanied by an Environmental Statement which considers the impact of the development upon daylight, sunlight and overshadowing; built heritage; townscape and visual impact; and wind microclimate. The application is also supported by an acoustic report; air quality assessment; arboricultural and tree report; archaeological assessment; a design and access statement; an ecology assessment; an energy statement; a flood risk assessment and drainage strategy; a phase I ground conditions report; a lighting impact assessment; a planning statement; a statement of community involvement; a transport

statement; a travel plan; a utilities statement; and a waste management strategy.

Members raised the following questions:

- With reference to the ground floor plan, the overhang, how far would it project out.
- Were the living areas to all the cluster flats the same size.
- Referring to the space at the rear of the proposed development, what was the distance to the neighbouring property (walkable space)
- Was there an evacuation plan for residents occupying the upper floors
- Was there a lighting scheme planned for the development
- Were there any recycling facilities proposed
- Members queried the species of trees to be planted in the public realm area
- How would maintenance of the internal common areas be undertaken
- How would access into and around the building be controlled.
- Had a wind study been undertaken
- It appears there would be a lot of development taking place in the immediate area at the same time, how was the Council managing co-ordination
- How would the arrival of student residents be managed at the start of term time

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

- It was confirmed that the upper floors of the building would project 3 metres beyond the lower two floors.
- Members were informed that the cluster flats would not all have the same living room size; a 4 bed cluster unit would have a 21-24sqm living area, a 5 bed cluster would have a 25-27 sqm living area, a 6 bed cluster unit would have 30-35 sqm living area.
- Members were informed that the distance between the two properties was the width of a footpath (3.5m)
- It was reported that work was ongoing to developed both a fire strategy and also an evacuation strategy, both of which would be signed off by Building Control.
- It was confirmed that a full lighting scheme was currently being developed, a key feature being no dark spots
- Members were informed that both an energy strategy and a waste strategy were being planned for the building including the possible use of recycling shoots
- Members were informed that the types of trees to be used were detailed in paragraph 9.6.1 of the submitted report and would be in accordance with NRWLP policy Land 2.
- It was reported that maintenance of the common areas would be carried out by the management company who would put in place a maintenance routine

- Members were informed that all residents would be issued with a key fob to access the building and the common areas within
- It was confirmed that a wind impact survey had been undertaken and had confirmed the site and adjacent areas would be safe for all users.
- The Central Area Team Leader confirmed that planning conditions would require the agreement of a construction management plan for this proposal plus others in the neighbouring area. It was also understood that discussions were ongoing to use the same building contractor who was involved in a nearby development.
- It was reported that a management plan for the arrival of residents would be developed, each student being allocated with a specific time slot for arrival.

In offering comments Members raised the following issues:

- Members welcomed the changes that had been made to the application following comments made at the pre application stage
- Members expressed the view that this was now a really good scheme.

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 Appendix 1 of the submitted report (and any others which he might consider appropriate) and following the completion of a Section 106 agreement to include the following obligations:

- Accommodation for use solely by students in full-time higher education;
- Travel plan review fee of £3,180;
- Implementation of travel plan;
- Contribution of £430,000 towards Merrion Way highway improvements;
- Local employment and training initiatives;
- Section 106 management fee of £1500.

In the event of the Section 106 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.

**31 Application 18/02139/FU - Erection of a part 11, part 18 storey building for student accommodation including facilities, comprising 98 studios, and the provision of communal facilities in the basement of the adjacent building, a landscaping scheme and all associated works at the site of the Q1 Residence, Wade Lane, Leeds.**

The Chief Planning Officer submitted a report which set out details of an application which sought the erection of a part 11, part 18 storey building for student accommodation including facilities, comprising 98 studios and the provision of communal facilities in the basement of the adjacent building, a

landscaping scheme and all associated works at the site of the Q1 Residence, Wade Lane, 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 proposed development sought to provide 98 studio dwellings, for occupation by students. These units would be set out such that floors 1 to 10 would each contain 7 studios and floors 11 to 17 would each contain 4 studios.
- The units would be laid out in the following range with regard to the range of internal floorspace:

10 studios of 21 sq metres  
17 studios of 22 sq metres  
37 studios of 23 sq metres  
17 studios of 29 sq metres  
17 studios of 31 sq metres

- The proposal would include a range of high quality communal facilities within some 200 sq. metres at the ground floor of the proposed building, comprising a lounge, reception area, a breakfast room and study rooms/pods. In addition, a plant room and bin store room will be located at the lower ground floor level.
- Further to this the Applicant states that occupiers would also be able to make use of the lower ground floor of the existing Q One building, which will provide a cinema room (c. 30 – 40sqm), a games room (c.80sqm), a storage area for students (c. 30-40sqm) and additional cycle stands. In addition the Developer also states that student occupiers would be given free annual membership of the nearby Pure Gym at the Merrion Centre.

Officers reported the receipt of a late objection on the grounds that the proposed development would be the fourth high rise student building in the area and would increase stress on local amenities.

Addressing the objection it was the view of officers that there would be no detriment to the mixed use character and amenities in the area, traffic would be reduced because there were less cars associated with the site and there was no displacement of housing in this area.

Members were also updated on the submission of a wind report confirming that the proposal in conjunction with the proposed 37 storey building on the opposite side of Wade Lane would not result in unsafe wind conditions and

were advised that there were no outstanding highway and wind impact issues to resolve and the recommendation should be amended accordingly.

Members raised the following questions:

- There appeared to be a significant amount of cycle spaces but would they be used.
- The proposed development was in close proximity to the inner ring road, had the necessary investigations been carried out to ensure there would be no impact on the inner ring road curtain wall.
- If there was an impact on the inner ring curtain wall who would be liable
- Would there be a pedestrian crossing located on Wade Lane.
- Wade Lane was a wide road, could a pedestrian refuge be installed in close proximity to the proposed development
- The windows for each apartment, did they run from floor to ceiling
- When would work begin on site and when would it be completed by.

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

- The Highway Officer confirmed that currently there was no monitoring of purpose built student accommodation (usage of cycle facilities) such information may be provided at a later date
- Officers reported that a technical strategy had been provided, the applicants preferring a cantilever method of construction. The Central Area Team Leader stated that a considerable amount of experience had been obtained for construction near the ring road including agreement of the foundation construction details with the Council's Highways Bridges Section.
- The City Solicitor confirmed that any impact on the inner ring road that was within the "red line" of the development would be the responsibility of the applicant
- Officers confirmed that a signalled crossing was already in place on Wade Lane.
- The Highways Officer confirmed there was insufficient space for an additional pedestrian refuge at this location.
- It was confirmed the windows would run from floor to ceiling
- The applicant suggested that work would begin on site around the end of the year with possible completion by the summer of 2021

In offering comments Members raised the following issues:

- The suggestion made by Members at the pre application stage that the position of the building be shifted appeared to be a positive contribution
- Members welcomed the proposal suggesting it was a good scheme.

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 as set out in the appendix of the submitted report (and any others which the Chief Planning Officer considers appropriate) and following the completion of a Section 106 agreement to secure the following obligations:

1. Occupation of the units by students only
2. Employment and training of local people
3. A monitoring and evaluation fee for the Travel Plan of £2500.00
4. Tree loss mitigation
5. A management fee – dependent on the number of obligations

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

**32 Application 18/02523/FU - Construction of a new teaching block including landscaping, access improvements and other associated works at the University of Leeds campus, Cloberry Street, Woodhouse, Leeds.**

The Chief Planning Officer submitted a report which set out details of an application which sought the construction of a new teaching block including landscaping, access improvements and other associated works at the University of Leeds campus, Cloberry Street, Woodhouse, 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 proposed development sought to build a 6 storey teaching building as part of an expansion of facilities to meet the growing demand of the University's Business School. The building would house lecture, tutorial and other teaching spaces as well as a ground floor ancillary A3 cafe space. This A3 café would face out on to an existing landscaped area, which was to be retained and enhanced. In addition, the proposal sought to improve pedestrian connectivity through and around the site, with better linkages to the nearby Western campus, and along Cloberry Street back into the main campus. The scheme also aims to improve the setting of the adjacent substation, which cannot be relocated by creating more greenery to effectively screen more of the structure from public view.
- The site was an existing surface car park and landscaped green area to the north west of the University's Estates Services and nursery buildings and was set within the Woodhouse Conservation Area and



more specifically the character area within this wider definition of the Woodhouse Lane-University Precinct Conservation Area. There were a number of listed buildings in close proximity to the site, these being at: Fairbairn House, Clarendon Road and Boundary Wall, properties on Lyddon Terrace, 1-8 Woodsley Terrace and Boundary Wall, Leeds Grammar School and Leeds Grammar School Chapel.

- The wider area was characterised by an eclectic mix of red brick former Victorian terrace houses, and a wide variety of university teaching, support services and halls of residence buildings of different architectural eras, heights and massing.

The Panel then heard from Dr H Hubbard, a local resident who was objecting to the proposal because the proposed development would impact on the parking and access arrangements for the area. Dr Hubbard was also of the view that the building was too high and imposing for the surrounding area and there was a lack of clarity in the University's site plan as to how the proposed development would fit with the future of the temporary Estates Office building.

Questions to the objector - None

The Panel then heard from the University's representative Claire Linley (Planning Agent) who spoke in support of the application.

Members were informed that the University had experienced substantial growth in recent years. The proposed application would assist in the development of the Business School and would also seek to promote access to the existing spaces. There was currently uncontrolled parking in the area and this could be addressed by use of Traffic Regulation Orders.

Questions to the applicant

- Why was this application not presented to the Panel as a pre application proposal
- Members queried the proposed colour of the building due to its location in a red brick setting
- Members expressed concern that views to a nearby Victorian façade would be obscured
- The estates office building, when would temporary planning permission lapse
- Was Cloberry Street in the control of the University
- How many residential car parking places are likely to be displaced
- Had any consultation taken place with local residents
- was the University able to mitigate some of the parking issues
- Could the cobbles on Cloberry Street be retained

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

- Members were informed that prior to submission of the application the scheme had changed and in view of the University's aspirations to deliver the building in a particular time period it was considered not appropriate to present as a pre application proposal (The City Solicitor advised that the submission of a pre application proposal was not a material consideration)
- The proposed colour was chosen to complement some of the existing buildings in the area but the building also had to have its own identity.
- It was suggested that views would be lost for whatever building was erected but it should be noted that some important views would be retained.
- It was reported that the temporary planning for the estates office would lapse in 2021.
- Members were advised that Cloberry Street was likely to be an adopted highway, but clarification around ownership was being sought
- The Highways Agent reported that there was some permit parking but there was a lot of uncontrolled parking in the area. In order to deliver the travel plan the uncontrolled parking had to be addressed and this would ultimately safeguard resident parking.
- Members were informed that a consultation event had taken place, six people had attended.
- It was reported that the existing multi storey car park had spare capacity and the provision of a transport strategy would show there was available car parking
- The Architects for the scheme stated the cobbles would be retained as a condition of planning approval

#### Questions to Council Officers

- Was the provision of three disabled parking bays sufficient
- Why were parking spaces on the public highway being taken away
- Was it proposed that Cloberry Street would be closed
- It was suggested that the submission of a Position Statement may have been useful.

In responding to the issues raised, officers said:

- The Highways officer confirmed the level of disabled parking was in accordance with development standards
- The Highways officer suggested that some carriageway may be lost but not necessarily parking spaces, current parking was uncontrolled
- The Highway officer confirmed that Cloberry Street would be accessible to pedestrians and cycles only
- The Central Area Team Leader suggested that a Position Statement for a development of this size and complexity would normally only be submitted if there were outstanding issues that officers were seeking a steer on from Plans Panel.

In offering comments Members raised the following issues:

- The majority of Members expressed the view that they could not support this application, it was too over dominant and not in keeping with the surrounding area.
- A discussion needs to take place about the retention of the greenspace
- The scale and massing of the development was all wrong
- The computer generated graphics (CGI) gave the impression that the development is a bland grey concrete building, what is required is more interesting use of materials and colour.
- The use of materials need to respect the Conservation Area
- Consideration needs to be given to the future of the temporary Estates Building
- The highway/ residential parking issues had not been satisfactorily addressed
- A fundamental rethink was required, the application should be deferred

In summing up the Chair thanked all parties for their attendance and contributions.

The Chair suggested that from the discussion it was apparent that Members were not supportive of the scheme in its present form and that further consideration around the scale/ massing of the building, the use of materials /colour and the impact on the Conservation Area was required.

**RESOLVED** – That the application be deferred for further consideration around the scale/ massing of the building, the use of materials /colour and the impact on the Conservation Area.

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

**RESOLVED** – To note that the next meeting will take place on Thursday 2<sup>nd</sup> August 2018 at 1.30pm in the Civic Hall, Leeds.

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Originator:	C. Briggs
Telephone:	0113 2224409

**Report of the Chief Planning Officer**

*City Plans Panel*

**Date: 23<sup>rd</sup> August 2018**

**Subject: Planning application reference 18/01711/FU erection of a part 6No. / part 16No. storey student accommodation building with ground floor commercial units (Use Class A1, A2, A3, A4, B1 and D2) and associated landscaping works at land at Portland Crescent, Leeds LS2 8BL**

Applicant	Date Valid	Target Date
VITA Leeds 2 Ltd	13.03.2018	12.06.2018

<p><b>Electoral Wards Affected:</b></p> <p><b>Little London and Woodhouse</b></p>  <p><input type="checkbox"/> Yes    Ward Members consulted</p>
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<p><b>Specific Implications For:</b></p> <p>Equality and Diversity    <input type="checkbox"/></p> <p>Community Cohesion    <input type="checkbox"/></p> <p>Narrowing the Gap    <input type="checkbox"/></p>
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**RECOMMENDATION:**  
**DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:**

- Restriction on occupancy to full-time students only
- Restriction on student car parking
- Travel plan monitoring fee £3560
- Revenue compensation for loss of 2 Pay & Display bays £20,470
- Contribution to cost of Traffic Regulation Order for a loading bay £7,500
- Cooperation with local jobs and skills initiatives
- Management fee £1500

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

## **1.0 Introduction:**

This report is brought to City Plans Panel because it relates to a major planning application in a prominent location in the City Centre. The site has a complex history and has been the subject of a number of presentations to City Plans Panel. Work stopped on the site in March 2015 when the building contractor and its parent company went into administration. City Plans Panel received a briefing on the complex financial issues affecting the site in July 2016 and since then a number of stakeholders have tried to find an appropriate solution to enable the completion of the approved development. Select Property Group acquired the site with the intention of using the partially-completed building as student accommodation as part of its Vita Student brand, and presented their initial proposals to City Plans Panel on 23rd November 2017 and 15th February 2018. The development would be Vita's second in the city following the recent commencement of the development at St Alban's Place. Vita intend to re-commence work at this site immediately in September 2018 subject to planning permission being granted.

## **2.0 Proposal**

2.1 The proposal is for 312 student studios ranging in size from 18sqm to 56sqm in a part six, part sixteen storey student accommodation building with a ground floor and commercial unit (flexible use classes A1, A2, A3, A4, B1 or D2) and associated landscaping works. It is proposed to add two additional storeys to the approved tower element of the building (14 storeys) such that the tower would be 16 storeys in height. The lower wing would remain at 6 storeys. The existing foundations and precast concrete frame can be reused, with the completion of necessary remedial works. There are a number of relatively changes from the partially built extant hotel planning approval however the updated proposal would retain the overall design principles including:

- reuse of the existing part constructed concrete frame
- double storey podium
- chequered window pattern
- building line set-back at 5th Floor level
- limestone cladding
- glazed vertical window slot (former roof top bar lift)
- window detailing and contrasting stone banding at floor levels
- glazed ground floor active frontages

The hotel "sky bar" is no longer proposed as there would not be public access to the upper floors of the building. The set-back fifth floor which was previously intended to be a gym and plant room for the hotel would now provide 21 studio flats.

2.2 Dedicated amenity space for students would be provided in the communal 'Hub' space at basement and ground floor level facing onto Portland Crescent. Other ground floor space would be occupied as flexible use retail/food and drink/office/leisure accommodation, which would face onto Woodhouse Lane, Portland Crescent and Cookridge Street.

2.3 The external space around the building is public highway and would be laid out to compliment the new public realm presently coming forward at the junction of Woodhouse Lane / Clay Pit Lane / Cookridge Street. This would incorporate contrasting concrete paving to adoptable standards, three small-leaved Lime trees (*Tilia Cordata* "Greenspire") in bespoke tree grilles with uplighters, nine Sheffield cycle stands and five metal lattice wind baffle structures, approximately 2m x 2.5m in size. Other proposed off-site highways works include:

- a) The proposed dropped kerbs and tactile paving at the informal pedestrian crossings at Portland Crescent;
- b) The proposed replacement of the existing pay and display parking bay markings with the continuation of the yellow road markings and provision of the servicing/loading bay at Portland Crescent including amendment to Traffic Regulation Orders (TROs);
- c) Paving works on the footway at the site frontage at Portland Crescent, A660 Woodhouse Lane and Cookridge Street;
- d) Resurfacing works on the part of the footway at the north flank of Portland Crescent that forms a triangle (Portland Crescent/Woodhouse Lane triangle);
- e) Construction of a table at the Portland Crescent junction with A660 Woodhouse Lane to reduce the speed of vehicles and enhance pedestrian safety
- f) Wind mitigation measures to be constructed within the adopted highway under license.

2.4 The application is supported by the following documents:

- Scaled plans
- Design and Access Statement
- Heritage Statement
- Planning Statement
- Energy and Sustainability Statement
- Noise Report
- Land contamination and coal report
- Transport Statement
- Travel Plan
- Drainage Strategy
- Ventilation Strategy
- Site Logistics and Construction Management Plan
- Wind report

### **3.0 Site and Surroundings:**

- 3.1 The broadly rectangular site is located on the eastern side of Portland Crescent at its junction with Woodhouse Lane and has a short return onto Cookridge Street. The incomplete concrete shell of an approved hotel has remained unfinished on the site since the developers went into administration in 2015. Whereas the southern limb of the building is at its approved height of six storeys, the approved tower fronting Woodhouse Lane is four storeys short (10 storeys) of its approved height of 14 storeys.
- 3.2 A part six, part eight storey building is presently being erected at 67-83 Cookridge Street directly to the rear (east) of the site. When complete the building will contain 96 student studio apartments and two commercial units at ground floor level. Leeds Beckett University Rose Bowl and the associated surface and basement car park are situated on the west side of Portland Crescent opposite the site. To the south-east is the Leeds College of Technology.
- 3.3 The site has a sensitive heritage setting, abutting the northern edge of the City Centre Conservation Area whilst the Queen Square Conservation Area is situated across Woodhouse Lane to the north. There are a number of listed buildings close to the site including the O2 Academy live music venue and nightclub (Grade II) which abuts the southern boundary of the site; the Civic Hall (Grade II\*) to the south west beyond Portland Crescent; and Leeds City Museum and Leeds Art University (Grade II\*) to the south.

3.4 To the east of the junction of Woodhouse Lane and Clay Pit Lane the extension to Merrion House is now completed. In association with that development, work is underway on creating new areas of public realm on the northern and south-eastern corners of this junction including infilling the former subway, improving pedestrian links and the provision of new soft landscaping.

#### **4.0 History of Negotiations**

4.1 The developer presented emerging proposals for the stalled development site to City Plans Panel on 23rd November 2017. Members provided the following comments:

- that the proposed use of the buildings for student accommodation was acceptable in principle;
- that the living conditions within the student accommodation were acceptable;
- that the proposed changes to the height of the building and its architecture were acceptable; and
- with regard to whether Members were supportive for the application to be determined under delegated powers, further consideration was required around the provision of enhanced pedestrian connections to address pedestrian generation/movement in the immediate area.

4.2 The developer presented proposals for the pedestrian improvements at the junction of Portland Crescent and Woodhouse Lane to City Plans Panel on 15<sup>th</sup> February 2018. Members provided the following comments:

- What was the timescale for completion of the works, not just this site but for the whole of the Portland Crescent/ Woodhouse Lane Junction improvement scheme?
- Who would be responsible for maintenance of the area once the scheme was completed?
- Would the landscaped areas include lighting schemes?
- In summing up the Chair said that further details about the design/appearance of the junction were required and that a report should come back to Plans Panel in due course.

#### **5.0 Relevant Planning History**

5.1 Planning permission (08/05664/FU) for a part 6 and part 14 storey hotel building with 246 bedrooms was approved in July 2009.

5.2 Planning permission (11/01979/EXT) extending the time limit for implementing planning permission 08/05664/FU was granted on 2nd August 2011.

5.3 Planning permission for amendments to the approved hotel scheme including a roof-top bar, feature glass lift and comprising 206 bedrooms (12/01191/FU) was approved on 26th July 2012. Development of this scheme by GB Building Solutions commenced towards the end of 2013 and stopped in March 2015 when the building contractor and its parent company went into administration.

#### **6.0 Public/Local Response:**

6.1 Planning Application publicity

- Site Notice 16.04.2018
- Press Notice 30.03.2018
- Little London and Woodhouse Councillors email 20.07.2018

6.2 Comments have been received from:

Leeds Civic Trust wishes to support this planning application for approval, they believe it helps to deliver a high quality building on a stalled city centre site. The only minor comment is that the proposed development comprises entirely of studio apartments,



maybe the developer could consider replacing some studios for more affordable cluster rooms.

## **7.0 Consultations**

### **7.1 Statutory**

#### 7.1.1 Historic England

Historic England do not wish to offer specific comments and they suggest that the Local Planning Authority seeks the views of its specialist conservation advisers.

#### 7.1.2 Leeds City Council (LCC) Transport Development Services

No objection subject to s106 obligations for the implementation and monitoring of the Travel Plan, the costs of changes to TROs for the provision of a loading bay and revenue compensation for loss of parking bays, and planning conditions requiring details of cycle parking, servicing management plan, wind mitigation measures and the implementation of the proposed off-site highways works, and subject to the appropriate road safety audits.

### **7.2 Non-statutory**

#### 7.2.1 LCC Conservation Team

No objection. The proposed additional height to the existing building will have a neutral impact on the setting of adjacent listed buildings and the City Centre and Queen Square Conservation Areas. Taking account of the current appearance of the building, the proposed development will enhance the setting of nearby heritage assets.

#### 7.2.2 LCC Flood Risk Management

No objection subject to a condition requiring further details of surface water drainage.

#### 7.2.3 LCC Environmental Studies (road traffic noise)

Noise mitigation features (glazing and mechanical ventilation) are required to ensure road traffic noise is not an issue within this proposal.

#### 7.2.4 LCC Environmental Health (commercial noise)

There is potential for noise disturbance to future residents from plant and machinery noise associated with the proposed development, and the development also has the potential to cause noise and dust disturbance from the demolition and construction works to nearby existing noise sensitive premises and conditions will have to be specified to mitigate for this. Entertainment and plant noise from the existing neighbouring music venue (O2 Academy) has also been highlighted in the submitted noise report. Environmental Protection have had no noise complaints concerning the Academy since 2014. However, the submitted noise report and sound insulation scheme for the proposed flats relies on the O2 Academy meeting the conditions of their licence, and Environmental Protection state that they recommend a higher specification of sound insulation than that proposed in order to deal with the effects of noise break-out as surveyed in the submitted report.

#### 7.2.5 West Yorkshire Police

The applicant has sought security advice from West Yorkshire Police and advice has been given including window and door specification, lighting and CCTV.

#### 7.2.6 Atkins wind consultants

The applicant's wind study has shown that the new development is expected to have a negative impact on the wind environment in the area adjacent to Woodhouse Lane at the north east of the site, where in a small number of locations, the frequency of

occurrence of strong winds could pose a safety hazard to pedestrians. The applicant's study has proposed a number of mitigation measures, demonstrated by wind tunnel modelling, that reduce the safety and comfort issues, by reducing the wind speeds in this north eastern part of site. It is recommended that significant attention be placed on the detailed design of these features, to ensure that they match the design intent from the wind tunnel modelling, and therefore that the final development meets the required comfort and safety levels.

## **8.0 Relevant Planning Policies**

### **Statutory Context**

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 at this site, the Development Plan for Leeds currently comprises the following documents:

- The Leeds Core Strategy (Adopted November 2014)
- Saved Unitary Development Plan Review (UDPR) Policies (2006)
- The Natural Resources & Waste Local Plan (NRWLP, Adopted January 2013) including revised policies Minerals 13 and 14 (Adopted September 2015)

These development plan policies are supplemented by supplementary planning guidance and documents.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) also needs to be addressed when assessing this proposal.

### **The Development Plan**

#### **8.1.1 Leeds Core Strategy**

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. The most relevant policies are set out below:

Spatial Policy 1 location and scale of development.

Spatial Policy 3 City Centre Development

Spatial policy 6 housing requirement and allocation of housing land

Spatial policy 8 economic development priorities

Policy P10 design

Policy P11 Conservation and heritage

Policy P12 landscape

Policy T1 transport management

Policy T2 accessibility requirements and new development

Policy H2 housing on unallocated sites

Policy H3 housing density

Policy H5 affordable housing

Policy H6B Purpose Built Student Housing

Policy EN1 carbon dioxide reduction

Policy EN2 sustainable design and construction

Policy CC1 City Centre growth, part (b) encourages residential development, providing that it does not prejudice town centre functions and provides a reasonable level of amenity for occupiers.

#### **8.1.2 Leeds Unitary Development Plan Review (UDPR) Saved Policies**

The site lies within the designated City Centre. Saved policies that are relevant to this scheme are:

GP5 General Planning Considerations

BD2 Design of new buildings

BD4 All mechanical plant

BD5 states that a satisfactory level of amenity for occupants and surroundings should be provided.

LD1 landscaping

### 8.1.3 **Leeds Natural Resources and Waste DPD**

Relevant policies include:

Water 1 water efficiency

Water 2 protection of water quality

Water 7 surface water run-off

Land 1 contaminated land

### 8.2 **Relevant Supplementary Planning Documents and Guidance includes:**

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Accessible Leeds

SPD Street Design Guide

SPD Travel Plans

SPD Parking

SPD Tall Buildings Design Guide

SPG Neighbourhoods for Living

### 8.3 **National Planning Policy Framework July 2018 (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied (para 1), and is a material consideration in planning decisions (para 2). It states that the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). So that sustainable development is pursued in a positive way at the heart of the Framework is a presumption in favour of sustainable development (paras 10-11). It states that decision makers at every level should seek to approve applications for sustainable development where possible (para 38). The Framework sets policies on the following issues which are relevant to this planning application proposal (including section numbers):

- 2 Achieving sustainable development
- 4 Decision making
- 5 Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 7 Ensuring the vitality of town centres
- 8 Promoting healthy and safe communities
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 14 Meeting the challenge of climate change and flooding
- 15 Conserving and enhancing the natural environment (including noise)
- 16 Conserving and enhancing the historic environment

### 8.4 **Other material considerations**

#### 8.4.1 **Core Strategy Selective Review (Submission Draft)**

A selective review of the Leeds Core Strategy is presently being undertaken (CSSR). The CSSR includes a review of the housing requirement 2017-2033; the distribution of housing; affordable housing; housing standards; city centre green space; and climate change reduction policies. The submission draft plan was submitted to the Secretary of State for Housing and local government on 9 August 2018 and is evidence of the LPA's emerging policy position.

### 9.0 **Main Issues**

#### 9.1 Principle of the proposed development

- 9.2 Impact of the design, scale and layout of the proposed buildings on the character of the surrounding area and the setting of nearby listed buildings
- 9.3 Residential Amenity
- 9.4 Highways safety transportation and access
- 9.5 Planning Obligations

## **10.0 Appraisal**

### **10.1 Principle of the proposed development**

- 10.1.1 Despite extensive marketing it has not been possible to find a developer willing or able to complete the development as a hotel and the site has been purchased by a student housing provider. Consequently, the principal issues to consider relate to its proposed use as student accommodation and the extension of the approved tower.

The site is located within the designated City Centre. Core Strategy Policy CC1(b) encourages residential development in city centre locations providing that the development does not prejudice the functions of the City Centre and that it provides a reasonable level of amenity for occupiers. Residential amenity is discussed at section 10.3 of this report. Adopted Core Strategy Policy H6B relates specifically to the provision of student housing and is relevant to this application proposal. H6B was adopted following the Core Strategy Inspector's rejection of the Council's position that the policy should include a test for need when considering applications for new student housing. The application is assessed as follows against the criteria within Policy H6B (represented in italics below):

- (i) *To help extend the supply of student accommodation taking pressure off the need for private housing to be used.*

The provision of 312 student studios would help to take pressure off the need to use private housing for student accommodation.

- (ii) *To avoid the loss of existing housing suitable for family accommodation.*

The site was previously a surface car park and is currently occupied by a part-built hotel building. The development would therefore not lead to the loss of existing family housing accommodation.

- (iv) *To avoid locations which are not easily accessible to the universities.*

The site is located towards the northern edge of the city centre and is very well-placed with regard to access to Leeds Beckett University, directly across Portland Crescent, and the University of Leeds via Calverley Street or Woodhouse Lane.

Criteria (iii) and (v) of the policy are considered in the residential amenity section of this report 10.3.

- 10.1.2 Areas within the ground floor not required by the student development are proposed as a flexible office, food and drink, financial and professional services and/or retail space. This unit would face Woodhouse Lane and would help to animate the streetscene, add variety in land use, generate employment and provide services for local residents, workers and visitors, and these defined town centre uses are encouraged in the City Centre under Core Strategy Policy CC1 and the NPPF.
- 10.1.3 The Council's affordable housing policy (Core Strategy Policy H5) does not apply to purpose-built student housing proposals. Therefore a Section 106 obligation is required to restrict the occupation of the development to full-time students only.
- 10.1.4 The NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified

needs and support appropriate opportunities to remediate despoiled, degraded, derelict contamination or unstable land. This planning application would offer significant benefit in bringing a derelict partially built and un-used structure into a positive and active use that would provide new homes in a sustainable City Centre location.

- 10.1.5 The principle of the development is considered acceptable in accordance with Core Strategy Policies CC1 and H6B, and the NPPF, subject to the amenity, design, wind and highways considerations outlined in the remainder of this appraisal.

## **10.2 Impact of the design, scale and layout of the proposed buildings on the character of the surrounding area and the setting of nearby listed buildings**

- 10.2.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states the statutory duty of Local Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. The following paragraphs assess the application against the relevant legislation, policy and guidance including paragraphs 189-200 of the NPPF. The heritage assets affected by this proposal and their significance are described in the submitted supporting Heritage Statement, and are noted at section 3 of this report.

- 10.2.2 The building is located in a sensitive setting close to two conservation areas and a number of high-graded listed buildings. The 14 storey tower element is one of a series of tall buildings situated adjacent Woodhouse Lane and to the North of the site that includes Leeds City College Technology Campus, Merrion House and Unites Student Sky Plaza a short distance away. The tower element of the building was approved at 14 storeys, equivalent in height to Leeds City College (former Leeds College of Technology). It is proposed to add two additional storeys to this part of the building which, it is considered, would give the building more elegant proportions. Although taller than Leeds City College this disparity would not be readily evident other than in medium-longer distance views where such a difference in height is not considered harmful. From Queen Square the additional height would provide greater variation when viewed in the context of the other background buildings, Leeds City College and Merrion House. From Millennium Square, largely due to the L-shaped footplate of the building and location further to the north the additional height would not appear significant and the Civic Hall towers would remain the dominant feature. The completion of the building would retain many of the design principles agreed for the approved hotel building including the use of limestone cladding, a chequered window pattern and a glazed ground floor.

- 10.2.3 Consequently, it is considered that the setting of a number of listed buildings and the character and appearance of the Leeds City Centre Conservation Area and the Queen Square Conservation Area would not be harmed by the building proposal. It is considered that the height, massing, layout and materials of the proposal would be appropriate to the scale and form of the nearby surrounding buildings, and that the proposal would also enhance the settings of the nearby Grade II\* listed Leeds Civic Hall, Leeds City Museum and Art College and the Grade II listed O2 Academy, and the Leeds City Centre and Queen Square Conservation Areas, by regenerating a prominently located, unsightly partially-built and vacant brownfield site.

- 10.2.2 It is therefore considered that the proposal addresses the requirements of Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the

### **10.3 Residential Amenity**

- 10.3.1 Criteria (iii) of Core Strategy policy H6B aims to avoid excessive concentrations of student accommodation which would undermine the balance and wellbeing of communities. The proposed student accommodation at this site is for 312 students. The area principally comprises a mix of civic and educational uses, together with leisure and retail uses nearby. The adjacent under-construction 67-83 Cookridge Street development will deliver 96 new student studios. There is significant student accommodation at Broadcasting Place to the north-west of the site, and adjacent to the Leeds Beckett University campus approximately 200m to the west. There is a small amount of private residential accommodation across Woodhouse Lane in Queen Square and also in the Brodrick Building adjacent to Millennium Square. There are a number of existing and approved development student housing developments in the wider area. The Arena Village student building to the north east contains approximately 560 existing bedspaces. On Clay Pit Lane, the Plaza and Sky Plaza developments contain in the region of 650 existing student bedspaces. The St Alban's Place scheme is presently under constructed on Belgrave Street with 376 studios and the nearby Symons House scheme will provide 349 student bedspaces in a mixture of clusters and studios. There are also proposals for 752 bedspaces at Hume House, Merrion Way (18/01819/FU), Q1 Residence Wade Lane 98 studio dwellings (18/02139/FU) and 928 student bed-spaces in Unite Podium Buildings Merrion Way (18/00458/FU). In the instance that all proposed developments were to be constructed, there would be approximately 4000 student bed-spaces within a radius of some 250 metres of the site. However, it is not considered that the amenities of existing local residents would be adversely affected by this proposal for student accommodation at this site given the way in which the area is currently used and the wide range of uses present. Further, it is not considered that the number of students proposed cumulatively would result in an excessive concentration of students that would undermine the wellbeing of an area very close to the university campuses and within the context of a busy mixed-use city centre environment.
- 10.2.2 Criteria (v) of policy H6B requires that the proposed accommodation provides satisfactory internal living accommodation in terms of daylight, outlook and juxtaposition of living rooms and bedrooms. Core Strategy Policies CC1(b) and P10, and Saved UDPR Policies BD5 and GP5 also provide more general requirements that development should contribute positively towards quality of life and provide a reasonable level of amenity and useable space. The assessment of amenity is also a wider consideration of qualitative factors including arrangement and separation of living functions (general living, sleeping, studying, eating, cooking, food preparation, storage and circulation), usable shape, outlook, privacy and external amenity space. Officers and Members have visited several student housing schemes to review the level of amenity provided for occupiers. These include Fresh Student Living at Darley Bank in Derby (April 2014) where the studio was 22sqm; Downing's Cityside, Calverley Street, Leeds (May 2016) where the student showflat was also 22sqm; Vita Student's Telephone House, Sheffield (September 2016) where the average studio size was 20sqm. Planning permission for Vita's Leeds scheme at St Alban's Place in which the smallest 78% of studios would be just over 20sqm was granted in April 2017 (16/07741/FU). In approving the scheme it was recognised that the size of the majority of the studios would be restricted, providing little or no opportunity for socialising, but that each studio would benefit from a good outlook, natural daylighting and suitable noise environment. Critically, the additional "hub" facilities providing dedicated amenity spaces within the building, together with opportunities to use the neighbouring public space would provide acceptable levels of amenity for the

occupiers of the development. The format of the proposed scheme for this site is very similar to the St Alban's Place development by the same applicant. The average studio size would be 27sqm. The smallest studio at this site would be marginally smaller (18sqm) than those at St Alban's Place but typically the majority of the proposed studios would be larger than most recently approved, and on balance when combined with the amount and range of communal facilities and the overall benefits of the scheme, this is considered acceptable in this case, especially given the limitations of the existing structure. The size of the studio flats, although not spacious when compared to the Nationally Described Space Standards intended for private C3 residential use only, are considered acceptable on balance given the standard of amenity including the layout and juxtaposition of living functions for the occupiers, when combined with a reasonable level of communal space provided for this purpose-built specialist student accommodation. Vita state that this would include multi-purpose recreational spaces, cinema rooms, gaming rooms, private dining rooms, individual study rooms, group study rooms, gym facilities and laundry rooms (approximately 1500sqm in total).

10.2.3 The floor layout of the student accommodation now proposed at Portland Crescent would be very similar to the approved layout for the hotel. As such, student accommodation in the rear elevations of the building, facing 67-83 Woodhouse Lane, would benefit from reasonable, if not open, outlooks towards the courtyard areas up to level 5. Above that level the floorplate of 67-83 Woodhouse Lane reduces such that the living conditions of occupiers of student accommodation at Portland Crescent would improve further, enjoying a totally open outlook in the top 8 levels of accommodation.

10.4.4 Paragraph 182 of the NPPF states that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as music venues). The NPPF goes on to state that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant (or "agent of change") should be required to provide suitable mitigation before the development is completed. In this case, the submitted noise report has highlighted that on the night of the survey, noise break-out from the O2 Academy was in excess of the terms of its current Licence.

The applicant proposes the following noise mitigation specification which would operate in conjunction with a mechanical ventilation system:

- All windows within approximately 35m of the O2 Academy roof at levels 01 to 04: 55dB Rw (will require secondary glazing).
- All other 1st floor windows within approximately 50 m of the O2 Academy roof: 45 dB Rw (can be achieved with double glazed windows)
- All other windows facing the O2 Academy roof up to Level 10: 40 dB Rw (can be achieved by double glazed windows)
- Windows to the tower facing the O2 Academy roof, Level 11 to 15: 38 dB Rw.(i.e. no less than 50 m from the O2 Academy roof) (can be achieved by double glazed windows)

Although the above works would not mitigate against the maximum noise break-out recorded on the night of the survey, in this case, the applicant is proposing noise insulation measures which would provide a significantly greater level of mitigation from noise breakout from the O2 Academy than the level permitted by its premises Licence.

In addition, Environmental Health have confirmed that there have been no complaints regarding noise from the O2 Academy since 2014 (which was due to noise from patrons using the outside area), despite there being noise sensitive premises (residential) nearby on Portland Gate.

It should also be noted that the overall sound insulation specifications proposed would exceed the specification of the approved flats adjacent at the former Walkabout site, where the approved noise report for that application highlighted a lower level of noise break-out associated with the O2 Academy.

The extant Licence conditions for the O2 Academy would provide the Council the means to address any potential future complaints about noise breakout in a proportionate manner

On the basis of the above, and taking account of the overall regeneration benefits of the proposal, it is considered on balance that the proposed sound insulation specification is acceptable in this case and would be the subject of a planning condition.

- 10.4.5 The proposed student dwellings and their associated communal facilities would benefit from satisfactory internal living conditions in relation to environmental noise, would be an appropriate size and layout with satisfactory daylight, circulation and juxtaposition of living functions. It is considered that the scheme would on balance meet the residential amenity, housing mix and sustainability objectives of Core Strategy Policies H6B and CC1 and Saved UDPR Policies GP5 and BD5.

## **10.5 Highways, transportation and access**

- 10.5.1 The site is in a very accessible and sustainable location and no car parking is proposed to serve the site. It is within walking distance to the main university campuses, Leeds General Infirmary, retail and leisure facilities, the railway station and City Centre bus stops and interchanges. The Council's parking guidelines do not set a minimum parking requirement for development in the City Centre Core area but requires that the development does not result in adverse highway safety or amenity issues. In this case it is considered zero car parking provision is acceptable given the sustainable City Centre location of the development, the nature of the student housing use, a planning obligation that makes clear in student tenancies that they should not bring a car to Leeds, the implementation of the Travel Plan, and the controlled and enforced nature of parking controls on surrounding streets.
- 10.5.2 The applicant has submitted an acceptable Travel Plan and the implementation of the travel plan and the travel plan monitoring fee would be controlled through the Section 106 agreement. Highways officers also recommend a restriction that tenants do not bring a private car to the area unless they are a disabled person who requires a car (i.e. a Blue Badge holder). This would be controlled by the Section 106 agreement.
- 10.5.3 Secure cycle storage and bin storage is identified on the plans. The principle of the proposed bin storage locations are considered acceptable in terms of visual amenity (located in clearly defined bin stores, and concealed from the street scene) and highways terms, providing a condition is applied precluding storage of the bins on the footway. Exact details of servicing, deliveries and refuse and recycling storage and collection would be controlled by condition. A loading bay would be provided on Portland Crescent and this would require alterations to existing Traffic Regulation Orders and compensation for loss of revenue from 2 pay and display bays, which would be met by the applicant as a planning obligation.



10.5.4 There is an existing high pedestrian footfall close to the site and this is only likely to further intensify upon completion of the development and other student accommodation buildings within the city centre, together with developments within the university campuses themselves. At City Plans Panel on 23rd November 2017 Members commented that further consideration was required around the provision of enhanced pedestrian connections to address pedestrian generation/movement in the immediate area. Following the environmental improvements to Clay Pit Lane brought forward as part of the arena development, the work to improve the Clay Pit Lane / Woodhouse Lane / Cookridge Street junction is underway. This work, on the northwest, northeast and south-eastern corners of the junction, will provide new areas of public realm including infilling the former subway, improving pedestrian desire-lines and the provision of new soft landscaping. The space to the north of the proposed building has been designed to complement the forthcoming landscaping and connectivity improvements being delivered on the other corners of the Woodhouse Lane / Clay Pit Lane / Cookridge Street junction. The scope of works required to improve highways safety and amenity as part of this proposal are set out at paragraph 2.3 have been agreed with the applicant and full details would be controlled by planning condition.

10.5.6 The applicant has submitted a quantitative wind report prepared by an appropriately qualified and experienced wind expert (RWDI), which has been based on wind tunnel testing. The RWDI study has shown that the new development could have a negative impact on the wind environment in the area adjacent to Woodhouse Lane at the north east of the site, including generating a small number of locations where the frequency of occurrence of strong winds could pose a safety hazard to pedestrians. As a result the report concludes that wind mitigation is required as a result of the development, and that this needs to be located on the public highway, due to the constraints of the existing part-built building structure. The applicant's wind report recommends the following mitigation works on the public highway:

- 3 x 50% porous screens with a height of 2.5m and a width of 2m in the vicinity of the Junction of Portland Crescent and Woodhouse Lane
- 1 x elevated 50% porous screens with a height of 2.5m and a width of 2m in the vicinity of the Junction of Portland Crescent and Woodhouse Lane, with a vertical clearance above ground of 2.4m
- 1 x 50% porous screens with a height of 2.5m and a width of 2m in the vicinity of the Junction of Cookridge Street and Woodhouse Lane

In addition to the mitigation measures above, the main entrance to the student accommodation requires mitigation. This can be achieved by recessing the entrance by 1.5m, by planters in the height of at least 1.5m on either side of the entrances or by screens with a width of 1.5m on either side of the entrance. Based on the applicant's wind consultant's professional experience these forms of mitigation measures are expected to mitigate the unsuitable wind conditions at this location.

As the rooftop terrace locations are expecting a mixture of mainly sitting use and standing use conditions in less windier months, the inclusion of soft landscaping, such as planters of a minimum height of 1.5m or trellises/side screening, within the private terrace spaces exceeding the sitting use criteria would enhance the usability of these spaces for amenity use if calmer conditions are desired.

10.5.7 The wind report has been independently peer reviewed on behalf of the Council by Atkins and they have confirmed that the report findings including the proposed mitigation measures are reasonable. The full details of the mitigation measures will be controlled by planning condition.

10.5.8 Since the mitigation works would be located in the adopted highway, Highways officers have confirmed that the works would require a separate Section 278 agreement, with an on-going maintenance agreement to ensure that the applicants or their successors maintain the effective performance of wind mitigation features at their expense. The S278 legal agreement would be similar to the type in place for Bridgewater Place with obligations that last for as long as the building is in place or until the wind issue is resolved by other means.

10.5.9 It is therefore considered on balance that the proposal would not give rise to additional road safety or amenity issues, and the application proposal would meet the objectives of Core Strategy Policies T1, T2 and P10, Saved UDPR Policy GP5 and the Travel Plans and Parking SPDs.

## **10.6 Planning obligations**

10.6.1 A legal test for the imposition of planning obligations was introduced by the Community Infrastructure Levy Regulations 2010. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

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

10.6.2 Adopted policies are likely to result in the following necessary Section 106 matters:

- Restriction on occupancy to full-time students only
- Restriction on student car parking
- Travel plan monitoring fee £3560
- Revenue compensation for loss of 2 Pay & Display car parking bays £20,470
- Contribution to cost of Traffic Regulation Order for a loading bay £7,500
- Cooperation with local jobs and skills initiatives
- Management fee £1500

10.6.3 The proposal would be subject to the Community Infrastructure Levy (CIL) and the sum calculated at planning application stage is £78,143.40. This is for information only and is not a material planning consideration.

## **11.0 Conclusion**

11.1 The incomplete appearance of the hotel development and the associated temporary arrangements for pedestrians, delivery of materials and the position of the site cabins, have been a significant concern for a considerable period of time. Consequently, expediting the completion of the building work and restoration of surrounding land and highways would be beneficial and highly desirable. This scheme is a prominently-sited regeneration opportunity that would deliver new student residential dwellings in a sustainable location, and resolve the current issues of an unsightly part-completed building with undesirable pedestrian and vehicular diversions around the site compound. For the reasons set out above, in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF, the application proposal would enhance the setting of a number of listed buildings and the character and appearance of two conservation areas. The proposal is in accordance with the Development Plan and national planning policy as described above, and it is recommended that planning permission is granted, subject to the conditions and planning obligations set out.

## **Background Papers:**

Application file 18/01711/FU

## **Appendix 1 Draft Conditions for 18/01711/FU**

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

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

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

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

3. The approved Phase II Site Investigation Report has demonstrated that a Remediation Statement is necessary. Development shall not commence until a Remediation Statement demonstrating how the site will be made suitable for the intended use has been submitted to, and approved in writing by, the Local Planning Authority. The Remediation Statement shall include a programme for all works and for the provision of Verification Reports.

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use' in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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

To ensure that any necessary remediation works are identified to make the site suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

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

To ensure that the remediation works are fully implemented as agreed and the site has

been demonstrated to be suitable for use in accordance with policies Land 1 of the Natural Resources and Waste Local Plan 2013 and GP5 of the Unitary Development Plan Review 2006.

6. The development shall be carried out in accordance with the approved Bowmer and Kirkland Site Logistics Plan and the Vita Leeds Accommodation Method Statement submitted 11th July 2018. Construction works shall be restricted to 0800-1800 hours Monday to Friday, 0800-1300 hours on Saturdays, with no works on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of residential amenity and highways safety.

7. Development shall not commence, excluding remediation works, until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to first occupation of the building. No piped discharge of surface water shall take place until works have been completed in accordance with the approved details.

In the interests of sustainable drainage and flood prevention.

8. Prior to the commencement of building works, a sample panel of all external facing materials, roofing and glazing types to be used shall be constructed on-site and approved in writing by the Local Planning Authority. The external cladding and glazing materials shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of the development.

In the interests of visual amenity in order to accord with Leeds Core Strategy Policy P10, Saved UDP Review Policies GP5 and BD2, and the NPPF.

9. No building works shall be commenced until full 1 to 20 scale working drawing details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - a. soffit, roof line and eaves treatments
  - b. junctions between materials
  - c. each type of window bay proposed
  - d. ground floor frontages

The works shall be carried out in accordance with the details thereby approved.

In the interests of visual amenity and the character of the surrounding area, in order to accord with Leeds Core Strategy Policy P10, Saved UDPR Policies GP5 and BD2, and the NPPF.

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

In the interests of visual amenity in accordance with Leeds Core Strategy Policy P12, Saved UDP Review Policies GP5 and LD1, and the NPPF.

- 11 Landscaping works shall not commence until full details of both hard and soft landscape works, including an implementation programme, have been submitted to and approved in writing by the Local Planning Authority. Hard landscape works shall include

- (a) proposed finished levels and/or contours,
- (b) boundary details and means of enclosure,
- (c) car parking layouts,
- (d) other vehicle and pedestrian access and circulation areas,
- (e) hard surfacing areas,
- (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
- (g) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include

- (h) planting plans
- (i) written specifications (including soil depths, tree pits, cultivation and other operations associated with plant and grass establishment) and
- j) schedules of plants noting species, planting sizes and proposed numbers/densities.

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5, N23, N25 and LD1.

- 12 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF.

- 13 If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with Leeds Core Strategy Policy P12, Saved UDP Review (2006) policies GP5 and LD1 and the NPPF

- 14 Full working drawing details of the wind mitigation measures described in RWDI report RWDI #1801660 PLW REV-D dated 11th July 2018 and shown on Reform drawing references LSVITA-RLA-ZZ-XX-DR-L-0001-02 P02 and LSVITA-RLA-ZZ-XX-DR-L-0003 P04 shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the approved details prior to first occupation of the building and retained as such thereafter.

In the interests of pedestrian, cyclist and vehicular safety.

- 15 No building works shall take place until details for the provision of off-site highways works shown on the submitted plan reference .... including the following measures:
- a) The proposed dropped kerbs and tactile paving at the informal pedestrian crossings at Portland Crescent;
  - b) The proposed replacement of the existing pay and display parking bay markings with the continuation of the yellow road markings and provision of the servicing/loading bay at Portland Crescent will be required including provision of a servicing/loading bay at Portland Crescent and amendment to TROs;
  - c) Paving works on the footway at the site frontage at Portland Crescent, A660 Woodhouse Lane and Cookridge Street will be undertaken;
  - d) Resurfacing works on the part of the footway at the north flank of Portland Crescent that forms a triangle (Portland Crescent/Woodhouse Lane triangle);
  - e) Wind mitigation features would be constructed within adopted highway; and
  - f) Construction of a table at the Portland Crescent junction with A660 Woodhouse Lane to reduce the speed of vehicles and enhance pedestrian safety is required.

have been submitted to and approved in writing by the Local Planning Authority for inclusion in the section 278 Highways Agreement or to be secured by such other procedure as may be agreed between the applicants and the Local Planning Authority. Works shall be carried out in accordance with the approved details prior to the first occupation of the development.

In the interests of pedestrian and vehicular safety.

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

In order to meet the aims of the Leeds Core Strategy Policies T1 and T2, and the NPPF

- 17 Prior to the installation of any externally mounted extract ventilation system or air conditioning plant, details of such systems shall be submitted to and approved in writing by the Local Planning Authority. Any external extract ventilation system/air conditioning plant shall be installed and maintained in accordance with the approved details. The systems shall limit noise to a level at least 5dBA below the existing background noise level (L90) when measured at the nearest noise sensitive premises with the measurements and assessment made in accordance with BS4142:1997.

In the interests of visual and residential amenity and in accordance with Saved Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 18 Prior to commencement of above ground works, details of a noise and mechanical ventilation strategy designed to protect the occupants of this development from environmental noise shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development, details of acoustic tests within habitable rooms shall be submitted to and approved in writing by the Local Planning Authority. In the event that sound levels exceed the approved limits, the applicant shall undertake corrective action and re-test. The approved details shall be retained as such thereafter.

In the interests of residential amenity.

19 Prior to first occupation a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers and details of how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.

In the interests of amenity and to promote recycling, in accordance with the NPPF and Leeds UDPR Saved Policies GP5 and the NPPF.

20 Development shall not be occupied until a Servicing and Deliveries Management Plan, including timescales, has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy policy T2.

THE ROSE BOWL  
LEEDS BECKETT  
UNIVERSITY

PORTLAND CRESCENT

WOODHOUSE LANE

COOKRIDGE STREET

O2 ACADEMY

LEEDS COLLEGE OF  
TECHNOLOGY

CIVIC HALL

# 01 Site Plan

Scale - 1:200



For landscape plan  
refer to separate  
drawing by Reform  
Landscape Architects

1	Preliminary Issue	SB	09.11.2017
R1	Landscape added	SB	03.01.2018
R2	Pre Planning Issue	NSS	09.02.2018
R3	Amended with latest GF plan.	NSS	21.02.2018
R4	PLANNING ISSUE	NSS	02.03.2018
P1	Planning update	DE	06.07.2018

Revision: Description: **Planning** By: Date:



Location Plan:

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

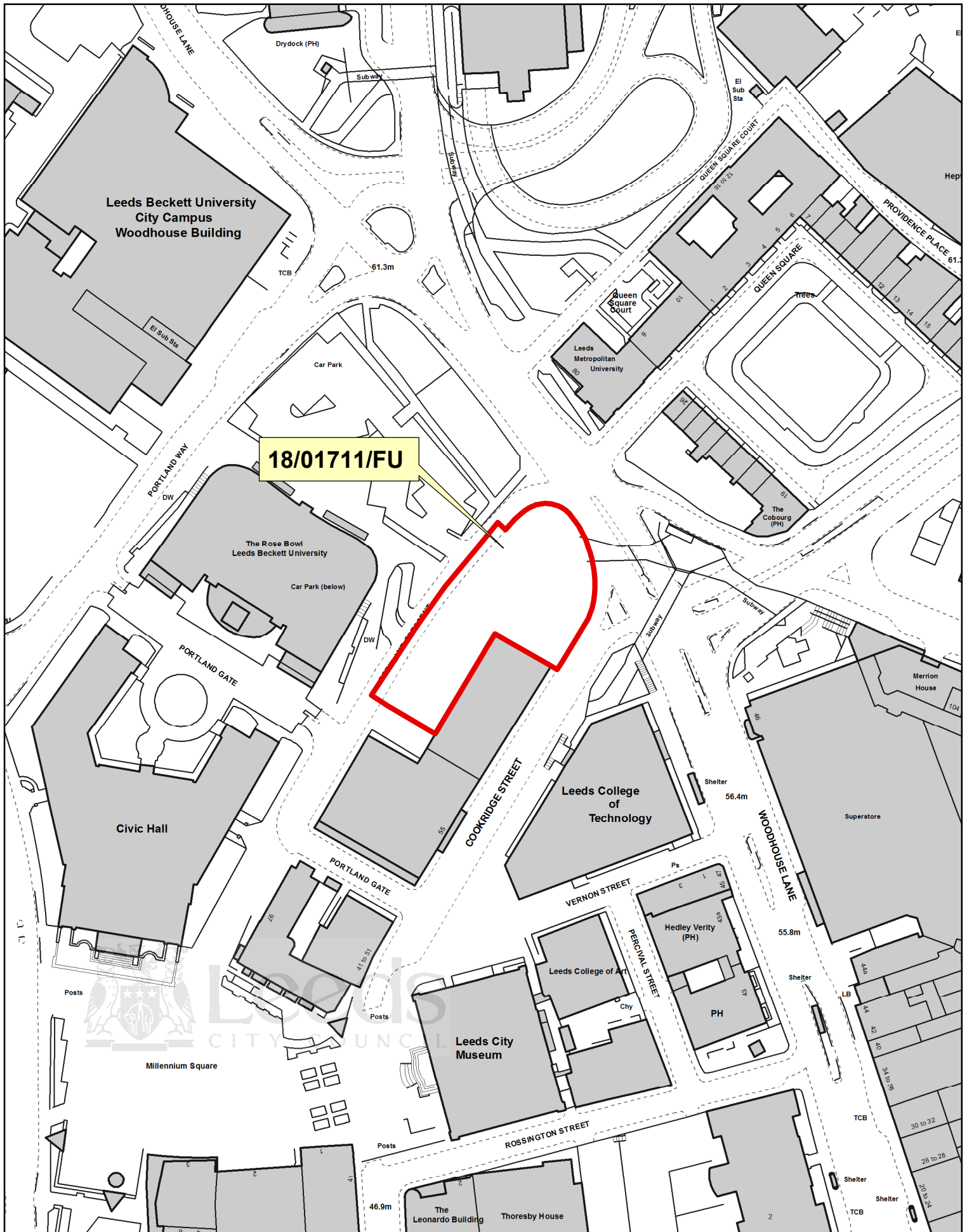
Drawing Number: 17_020_(08)_002	Revision: P1
Scale: 1:200 @ A1	Date: OCT 2017
Drawn by: NSS	Checked by: SB

Project Name:  
**VITA Student at Portland Crescent, Leeds**  
Drawing Title:  
**Site Plan**

West One | 114 Wellington Street | Leeds LS1 1BA | Tel+44 (0) 113 880 0770  
www.fuse-studios.com







# CITY PLANS PANEL



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Originator: Sarah McMahon

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 23 August 2018

**Subject: Applications 18/02735/FU and 18/02736/LI for a change of use of 4 retail units to a single A3 restaurant unit (including substantial facade restoration), the creation of a new circulation atrium to serve Opera North's Howard Assembly Room and supplementary internal alterations, the refurbishment of the existing Premier House office building, including facade re-modelling and the introduction of a new Education Suite at ground floor level, an associated linkage to, and two-storey extension of, the adjacent Linacre / Harewood studio within Premier House, at Opera North, the Grand Theatre, 46 New Briggate, Leeds, LS1 6NU.**

APPLICANT	DATE VALID	TARGET DATE
Opera North	17 May 2018	30 August 2018

<p><b>Electoral Wards Affected:</b></p> <p><b>Little London &amp; Woodhouse</b></p> <p><input type="checkbox"/> Yes Ward Members consulted (referred to in report)</p>	<p><b>Specific Implications For:</b></p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p>
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**RECOMMENDATION: Defer and Delegate application 18/02735/FU to the Chief Planning Officer for approval, subject to the conditions at Appendix 1.**

**Defer and Delegate application 18/02736/LI to the Chief Planning Officer for approval, subject to the conditions at Appendix 1**

### Conditions

A list of draft Conditions for each application is provided in the Appendix to this report.

### 1.0 INTRODUCTION:

1.1 This is a joint report for planning permission (reference 18/02735/FU) and Listed Building Consent (reference 18/02736/LI) for a change of use and enhancement works to the Howard Assembly Room and the remodelling and enhancement of

Premier House, both of which are important performing arts buildings in the designated City Centre. The proposals are brought to City Plans Panel as the development involves major investment in Opera North, which is an important cultural destination within a key location in the boundary of Leeds City Centre.

## **2.0 PROPOSAL:**

- 2.1 The proposed development seeks a change of use of the ground floor vacant former shop units from A1 retail units to one combined A3 restaurant, with internal alterations to the basement, ground floor and upper floors in the Howard Assembly Room of Opera North and an external terrace to the rear of the former shop units. In addition the proposal also involves an office refurbishment including facade re-modelling and two storey rehearsal studio extension to roof of existing 5 storey Premier House building, and the provision of ground floor education suite.
- 2.2 The principle changes for the Howard Assembly Room would result in the reconfiguration of the existing ground floor entrance lobby to Opera North's areas, such that new routes would be created inside the lobby area leading to the Assembly Room above as well as directly to the restaurant. In addition a new platform lift would be inserted into the lobby area. The proposals would also involve the reconfiguration of some internal first floor rooms including the removal of an existing storage room to create a new anti-space for patrons to utilise. The existing male artist WCs will be repositioned at stage level to allow the removed storage area to be relocated backstage. In addition a new disabled WC and a grand piano storage area would be created at first floor level. A new internal feature door is proposed at the existing main entrance within the building between Grand Theatre and Howard Assembly Room. This will involve the removal of an area of existing historic encaustic tiles in the interior of the existing entrance lobby. These removed tiles are to be retained and reused in a different location at the site.
- 2.3 The basement and ground floor to the former retail units within the Grade II\* Listed Opera North building would also be altered, with the removal of internal walls and a section of flooring to create a new restaurant with partitioning for WCs, a cloakroom and a dumb waiter.
- 2.4 Externally the shopfronts to New Briggate would be reordered to create a series of large glazed windows. Some of which may double as openable doors, and all will be set in reinstated stone pilasters and red brick arches to echo the original façade of the building. The existing art deco stained glass panels above the current shopfronts is to be removed for these proposals. These are to be retained and reused as a feature within the scheme in a different area of the site.
- 2.5 It is also proposed to create an attractive, useable glass roofed atrium terrace space in the existing rear service yard, where the restaurant and its bar can spill out onto. This space would also connect through to the Assembly Room and Grand Theatre to allow the patrons of these two venues to use the break out areas. Rising through this atrium to meet the roof it is proposed to site a sculptural metal tree like feature which would address extract ducting requirements for the new restaurant use. Perforated metal cladding will be installed to sit in front of the most damaged areas of the southern service yard wall, to hide poor brickwork and existing retained pipework and extract plant
- 2.6 The proposals for Premier House would involve a refurbishment of the building, including a recladding of the facades and a two storey rehearsal studio extension to the roof of existing 5 storey building, with a mixture of punched and projecting

windows. In addition the proposal would create a ground floor education suite. The new cladding would be a high quality bronze rain screen panelling facing the main Harrison Street and rear service yard façades, with the upper areas of the new extension being brick to match the existing brickwork below. The proposal to introduce an education suite at ground floor level will allow the introduction of a significant area of new clear glazed windows facing Harrison Street

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

- 3.1 The site comprises the Grand Theatre and Opera North building with its main frontage to Briggate and its southern elevation returning on to Harrison Street, and the Premier House building which is located on the opposite side of Harrison Street, but physically linked to the Grand Theatre and Opera North building by a high level enclosed pedestrian bridge. The Grand Theatre and Opera North building is Grade II\* Listed however Opera North only occupy the southern portion including the Howard Assembly Rooms. Premier House dates from the 1960s and is a modernist building of its time with a back street location and is not a Listed building.
- 3.2 The site is located within the defined City Centre but is not allocated for a specific use on the Local Development Framework Policies Map. The shop frontages to the New Briggate elevation of the Grand Theatre and Opera North building are currently part of a designated Secondary Shopping Frontage. This designation is proposed to be removed in the draft Site Allocations Plan.
- 3.3 Harrison Street is a one way link route with a steep incline from Vicar Lane to New Briggate. The site is within the boundary of the Grand Quarter Conservation Area and close to, but outside of the boundary of the City Centre Conservation Area. The site is also within the setting of the Grade II Listed St Johns Church, courtyard and railings.

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

- 4.1 Consent was granted for a change of use of retail units to 2 restaurant a3 unit & 2 retail units on 9 September 2005, planning reference 20/340/05/FU.
- 4.2 Consent was granted for an extension of time period for planning application 20/340/05/FU for a change of use of the retail units to 2 restaurants (class A3) and 2 retail units on 14 July 2010, planning reference 10/02300/LA.

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

- 5.1 The proposals have been the subject of pre-application discussions between the Developers, their Architects, and Local Authority Officers since May 2017. These discussions have focused on the change of use, heritage matters, scale, massing and design.
- 5.2 The proposals were presented at preapplication stage at City Plans Panel on 29 March 2018. Members made the following comments:
- Members expressed the view that this was a very exciting development, a stepping stone for other premises to follow
  - There was a desire that the close working relationship with the Grand Theatre continued
  - It was the view of Members that the issues concerning the green bridge and bin storage areas be pursued
  - Members were supportive of the proposals for the shop fronts

- Members welcomed the proposals for the alleyway but more detail was required
- It was suggested that a Traffic Assessment was required with a view to relocating the existing bus stops
- Members were supportive of the principle of the restaurant use
- Members were supportive of the emerging scale, massing and design of the proposals
- Upon receipt of the Planning Application and Listed Building Consent the applications be brought back to Panel for further consideration.

## 6.0 PUBLIC/LOCAL RESPONSE:

6.1 Ward Members were consulted on 19 June 2018.

## 7.0 CONSULTATIONS RESPONSES

7.1 **Historic England** state that they provided the applicant with preapplication advice and that the scheme has been refined in accordance with the said guidance. As such they state that they are broadly supportive of the proposals which have been sensitively designed to respond to the historic and architectural special interest of the building. They state that opportunities have also been taken for bold new interventions in less sensitive areas with the new atrium with its prominent central service riser which will add new design interest to this part of the building. They state as follows:

“There are several matters relating to design, detailing and materials which will need to be agreed prior to determination in accordance with advice from your senior Conservation Officer. In particular, we draw attention to the treatment of the external brick walls that will become internal walls within the new glazed atrium. This is referred to as ‘perforated metal cladding’ on the proposed plans. Further detailed information to show the colour, finish and fixings of this should be provided and sample panels agreed with your Conservation Officer. Similarly, the treatment of the sun-burst windows and the historic tiles in the main entrance vestibule should be confirmed prior to determination. Further information may also be required on the form, materials and colour of the central service riser in order to adequately show the impact this will have on the atrium space.

Historic England supports the applications on heritage grounds.”

7.2 **Coal Authority** state that whilst the application site falls within the defined Development High Risk Area there is a low risk from the site to coal workings.

7.3 **Highways** state that bin storage capacity needs to be demonstrated and Planning Conditions are required for cycle parking, any footway diversions and reinstatements and the provision for contractors during construction.

7.4 **Flood Risk Management** state that the development would not result in any major changes to the existing surface water drainage of the site and as such they have no objections.

7.5 **Leeds Civic Trust** state that they support the proposals are pleased that proposed new rehearsal room is now to be above the Studios rather than Premier House.

They ask for clarity on the following:

The ultimate use and position of the sun-burst windows above the shop units.

Details of the central service riser proposed in the new atrium space

They also state that they approve of the concept of removing the internal bridge walls and replacing these with balustrades, so that people on the bridge can see

and be seen from the atrium; however full details are required to ensure that clear views are created rather than the current opaque walling.

- 7.6 **Theatres Trust** state that they support this proposal which seeks a number of alterations which will have a beneficial impact on the Grand Theatre and Opera North's operations and viability, enhances the overall character and appearance of the theatre and the adjacent Premier House as well as restores and activates the theatre's New Briggate elevation. They state that:  
"...By bringing the vacant units along New Briggate in-house, the theatre is maximising its income potential by creating a more inviting food and beverage offer for patrons that has the benefit of a street-frontage thus encouraging in non-theatre goers. This will also help to increase activity and income for the theatre throughout the day rather than predominantly around performance times. This also has benefits for the vitality of New Briggate in line with the New Briggate Vision, also contributing towards the reduction in vacant units across the city centre....  
There are also clear benefits for the sustainability and viability of the theatre by providing separate public accesses to the Grand Theatre and Howard Assembly Room thus allowing them to programme concurrent performances....We have no objections to the works to Premier House."

## **8.0 RELEVANT PLANNING POLICIES:**

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

- 8.2 The National Planning Policy Framework 2018 (NPPF) was revised and adopted in July 2018 and sets out Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.
- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 8.4 Paragraph 16 of the NPPF sets out the Core Planning Principles for plan making and decision taking. Part b) states that plans should be prepared positively, in a way that is aspirational but deliverable/
- 8.5 Paragraph 38 of the NPPF states that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible
- 8.6 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community
- 8.7 Paragraph 85 of the NPPF states that Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a

positive approach to their growth, management and adaptation. Planning policies should:

d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;

- 8.8 Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process
- 8.9 Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- 8.10 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.11 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>63</sup>.
- 8.12 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and



d) the harm or loss is outweighed by the benefit of bringing the site back into use.

8.13 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.14 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.

8.15 Core Strategy

8.16 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

8.17 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.

8.18 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.

8.19 Policy T2: Accessibility Requirements and New Development states that new development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility.

8.20 Leeds Unitary Development Plan Review Retained Policies

Policy BD6 (All alterations)

Policy BD5 (All new buildings and amenity)

Policy GP5 (All planning considerations)

Policy N16 (Extensions to listed buildings)

Policy N17 (All listed buildings)

Policy N19 (New buildings and extensions within or adjacent to a conservation area)

8.21 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 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 as well as looking at tree loss and replacement via its specific Policy LAND2.

## **9.0 MAIN ISSUES**

1. Principle of the proposed uses
2. The impact on the character and visual amenity of the host listed building and surrounding area
3. Sustainable transport
4. Community Infrastructure Levy

## **10.0 APPRAISAL**

### 10.1 Principle of the proposed uses

10.2 The proposal involves a change of use of the existing A1 retail units to the ground floor of the Howard Assembly Rooms, to form one large A3 restaurant. The majority of the units have been vacant for a number of years with little interest from potential retail tenants. The emerging Site Allocation Plan City Centre Primary Shopping Frontage Area plans show this frontage to have no specific designation. This emerging plan is at stage where it can be given significant weight and as such Officers consider that the proposed change of use would not adversely affect the frontage or the ability of the wider City Centre to operate as a retail hub. It is considered that the proposed A3 restaurant use could add to the regeneration, vibrancy and vitality of both the daytime and evening economies of New Briggate and the wider City Centre.

### 10.3 The impact on the character and visual amenity of the host listed building and surrounding area

10.4 Although the Grand Theatre/Opera North and Premier House are a single site and are physically linked by a bridge, the works can be assessed in respect of their specific impact on the two parts of the site.

### 10.5 Grand Theatre/Opera North works

10.6 These works would affect the Grade II\* Listed building and are focused on the demise of the building that is occupied by Opera North, as well as the shared service yard to the rear of the building. As such the Grand Theatre itself is unaltered by these proposed works.

### 10.7 **Basement**

The walls between the shop units will be removed, along with the floors and a new steel frame and floor structures provided, to create a kitchen, WCs and dining areas to serve the new restaurant use. In the theatre court, at the north end, a new lift shaft and a glazed curtain wall will be inserted and one doorway will be infilled. The removal of the walls will result in the loss of some historic fabric but in order to retain a sense of the original planform, some masonry nibs will be retained adjoining the New Briggate and atrium walls. The new downstand beams will be boxed out, along the original wall line, thereby maintaining evidence of the historic planform. With

regards to the brick infill to the theatre court doorway, this will be set back to retain evidence of the former opening.

#### 10.8 **Ground Floor**

The gauged brick arches to the shopfronts on New Briggate will be restored for the new restaurant use. At No. 32, the modern draught lobby will be replaced with automatic opening doors for ease of access. These works will result in an enhancement to the principal elevation of the listed building. Internally, a new opening will be formed in the wall between Nos. 32 & 34 in order to provide an independent entrance to the Howard Assembly Room via the new atrium. This opening will result in the loss of a section of the tiled dado. In order to mitigate against the alteration, the tiling will be recorded and the tiles relocated elsewhere within the building. A possible location for the tiling is on the upper floor corridor, where some dado tiling remains within an area currently used as the cleaners store. Within Nos. 36, 38 & 40, the internal wall and floor will be removed to form a split level, open plan bar/restaurant which relates to both New Briggate and the new atrium level. The removal of the walls will result in loss of some historic fabric but in order to retain a sense of the original planform, some masonry nibs will be retained adjoining the New Briggate and atrium walls. The new downstand beams will be boxed out, along the original wall line, thereby maintaining evidence of the historic planform.

10.9 A number of new openings will be formed in the theatre court/atrium wall, to link the proposed bar/restaurant to the atrium and create a street-café experience. This will result in some changes to this secondary elevation but evidence of the previous pattern of openings will be partially retained in No. 36.

10.10. Within the atrium, a new floor will be inserted at the level of the existing bridge floor, along with a new lift shaft, stairs and central riser. The creation of an atrium within the theatre court will provide a more active frontage along Harrison Street and will enhance the appearance of an area of the building that is currently used as a service yard.

#### 10.11 **Level 01**

Alterations are proposed at the north and south ends. This area is largely a modern construction and therefore the proposed alteration will not impact upon the special interest of the building. There is an opportunity to restore the tiled dado on the north wall of the cleaner's store/corridor at the southern end and this would enhance the appearance of this part of the building.

10.12 Within the atrium, perforated metal cladding will be fixed to the walls, and will be set around existing windows ensuring these remain useable. This cladding will be designed to screen the existing services within the courtyard and to provide a more contemporary feel to the atrium. The cladding will be a 'reversible' feature, and would be a modular system that would be removable in sections for maintenance reasons. Therefore this addition would not result in the loss of historic fabric.

#### 10.13 **Level 02**

Alterations are proposed at the southern end to form a large store and to provide adequate fire compartmentation around the stair and link bridges. At the north end, the store rooms will be altered to form an accessible WC and new entrance from the atrium. The existing doorway to the Grand Theatre stair will be infilled but a link will be maintained via the Grand Hall. A new opening will be formed at the north end of the west wall of the atrium to create the new entrance and the existing (modern) opening in the centre of the wall be infilled with brickwork. At the north end of the

atrium the modern rendered wall to the Music Room will be removed to enable the new access and lift to be formed.

10.14 **Level 03**

The works at this level are primarily in the atrium with the new lift, access deck, service riser and cladding to east wall.

10.15 **Level 04**

The works at this level are primarily in the atrium with the new lift, access deck, service riser and cladding to east wall. In addition, some alterations are also proposed to the upper floor of the Theatre, adjoining the theatre court. The proposal is to remove a number of the modern partitions and suspended ceilings in order to create an open plan office and a board room. Two large openings will be formed in existing masonry walls and this approach will retain the legibility of the earlier planform.

10.16 It is considered that the level of alterations will lead to less than substantial harm to the significance of the designated Grade II\* Listed 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 at paragraph 134 that where proposal would result in less than substantial harm then this harm needs to be weighed against the public benefits of the proposal, including securing its optimum viable use. Due to the view from Officers that there will be less than substantial harm, it is considered that paragraph 134 of the NPPF is applicable for this proposal.

10.17 The proposed demolitions would be largely internal and would be to parts of the host Grade II\* Listed Building where the historic fabric has minimal architectural or historic detailing. In addition there are a number of public benefits to the scheme including:

1. Adding to the heritage led regeneration of the Grand Quarter
2. Enhancement of the new Briggate frontage returning it to a more historically relevant character, and enhancements to the service yard heritage frontages creating a heritage sensitive new intervention.
3. Creation of a publicly accessible area within the service yard
4. The reconfiguration of the spaces in the Assembly Room to make them more accessible and flexible for use
5. Allowing Opera North to make more effective use of their accommodation which in turn will allow them to programme more productions and shows
6. Bringing former retail units which have been vacant for a number of years back into viable use
7. New employment opportunities in the proposed restaurant

10.18 Premier House

10.19 It is considered that the proposed alterations to Premier House would be a suite of well designed, high quality alterations, which would enhance the character and visual amenity of the host building. The two storey extension has been well considered in respect of its massing and as such would not be visible from the wider area. The proposals would create a new high quality active frontage to Harrison

Street and as such the scheme would positively and visually uplift the back street environment of Harrison Street.

- 10.20 It is also the case that the proposed alterations have the potential to impact on the character and visual amenity of the Grand Quarter Conservation Area. As such the proposals again need to be justified in accordance with the considerations of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 134 of the National Planning Policy Framework (NPPF). The said character is predominantly Victorian, with a high number of historic buildings still being evident and spaces and streets retaining the dimensions of the urban Victorian environment. However, it is the case that the proposed alterations would be largely internal and where they affect the exterior of the host building this would be to a rear wall facing onto what has historically been a service yard area. As a result Officers consider that the impact on the conservation would be neutral.
- 10.21 To address comments from Historic England and the Council's own specialist Conservation advice a number of conditions will be applied to the full and the listed building applications to cover the following details;
- Details of the design and construction, the materials, finishes and colours to all new elevations, roofing, flooring, screens, stairs, balustrades, bridges, doors and windows, the central service riser, any louvres, any glazing manifestations, new security gates, any roller shutters, brick arch, stone columns and lintels.
  - 1.20 details of 1) Bridges, stairs and balustrades, 2) New window and door openings to the New Briggate façade and how they meet the existing building, 3) New window and door openings in the Harrison Street Premier House façade, 4) New internal floor and wall openings in the Listed Opera North demise, 5) The junctions between the atrium metal screen and the existing buildings, 6) The junctions of the new atrium roof and the existing buildings, 7) The junctions of the new central service riser and the existing buildings, 8) Brick arch, stone columns and lintels (including profile information).
  - Reuse of the existing art deco glazed panels to the New Briggate façade.
  - Reuse of the existing historic encaustic tiles to the interior of the existing entrance lobby.
  - The methodology and sample panels for works proposed to the atrium brickwork including details of repointing, cleaning, and any brick replacement.
  - A schedule of the existing stained glass windows to the atrium.
- 10.22 Sustainable transport
- 10.23 The submitted Transport Statement indicates the accessibility of the site to the City Centre and public transport links. As such no new car parking is proposed as part of the development. The current service yard into which the new feature atrium is proposed provides parking for the theatre's servicing vehicles. Due to the atrium being raised up above the ground floor level, this service yard facilities will be retained below the atrium, where it will not be visible for the new level above.
- 10.24 New access controlled cycle parking for 10 bicycles is proposed. Full details of this provision and how it will be accessed will be required under a Planning Condition. The scheme falls below the threshold at which a Travel Plan would be required.
- 10.25 Community Infrastructure Levy
- 10.26 The development is Community Infrastructure Levy (CIL) liable and is estimated to be in the region of £4774.40. CIL is generally payable on the commencement of development. The payment of CIL is not material to the determination of the

planning application. Accordingly, this information is presented simply for Members information.

## 10.27 Other Matters

Leeds Civic Trust raised a number of comments in paragraph 7.5 asking for clarity on the ultimate use, the position of the sun-burst windows above the shop units, details of the central service riser proposed in the new atrium space and full details of the bridges. The Applicant has provided the following responses:

*“We are yet fully determine the exact position and use. Until a restaurant operator, and an interior fit out design for the shop units has been finalised, we are unable to confirm the exact details”.*

Officer comment: This matter will be the subject of a Planning Condition.

*“We are currently working up the detail off this element in 3D with visuals and an animated sequence. There is a lot of detailed coordinated required to integrate the M&E services within this feature which is being worked through as part of the technical design beyond the planning submission. Once we have agreed the detail with Opera North, and the design team, we will be delighted to share the final proposals with Leeds Civic Trust and LCC Planning”.*

Officer comment: This matter will be the subject of a Planning Condition.

*“The comments notes are noted. However, the project budget does not extend to replacing the cast glass plank façade. The existing façade will be cleaned as part of the works. The façade will remain as opaque”*

## 11.0 CONCLUSION

- 11.1 In conclusion it is considered that the proposals are for an appropriate use and of a complementary scale, design and style for this important heritage site. The scheme would allow under used areas of important listed and non-listed buildings to be brought back into active use, to the benefit of the functioning of the Howard Assembly Rooms and the adjacent Grand Theatre. The design of the two storey extension to the modern building at Premier House would be a high quality, contemporary addition which would sit comfortably within the context of the neighbouring listed building, street scene and this part of the City Centre Conservation Area. Therefore the proposal is in accordance with the Development Plan and is considered to be acceptable and is recommended for approval, subject to the conditions set out in Appendix 1 and the planning obligations set out at the head of this report.

### **Background Papers:**

PREAPP/17/00353

18/02735/FU

18/02736/LI

## **Appendix 1 – Draft Conditions List**

18/02736/LI

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

Imposed pursuant to the provisions of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

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

3) Notwithstanding the details on the hereby approved plans, prior to the commencement of development details of the design and construction details, the materials, finishes and colours to all new elevations, roofing, flooring, screens, stairs, balustrades, bridges, doors and windows, the central service riser, any louvres, any glazing manifestations, new security gates, any roller shutters, brick arch, stone columns and lintels shall be submitted to and approved in writing by the Local Planning Authority. The new elevations, roofing, flooring, screens, stairs, balustrades, bridges, doors, windows, central service riser, any louvres, any glazing manifestations, new security gates, any roller shutters, brick arch, stone columns and lintels shall be installed in accordance with the approved details.

In the interest of the character and visual amenity of the host listed building and the wider City Centre Conservation Area.

4) Prior to commencement of development detailed 1:20 scale working drawings, cross sections and construction details of the following shall be submitted to and approved in writing by the Local Planning Authority.

- 1) Bridges, stairs and balustrades
- 2) New window and door openings to the New Briggate façade and how they meet the existing building
- 3) New window and door openings in the Harrison Street Premier House façade
- 4) New internal floor and wall openings in the Listed Opera North demise
- 5) The junctions between the atrium metal screen and the existing buildings
- 6) The junctions of the new atrium roof and the existing buildings
- 7) The junctions of the new central service riser and the existing buildings
- 8) Brick arch, stone columns and lintels (including profile information)

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

5) Notwithstanding the details on the hereby approved plans, the existing art deco glazed panels to the New Briggate façade shall be recorded prior to careful removal and shall

be reused, as a feature, within the development. Prior to their reinstallation the details of the location and nature of the reuse of the saved art deco glazed panels shall be submitted to and approved in writing by the Local Planning Authority. The art deco glazed panels shall be reused in accordance with the approved details.

In the interest of the character and visual amenity of the host listed building and to ensure these important historic features are retained and displayed.

6) Notwithstanding the details on the hereby approved plans, the existing historic encaustic tiles to the interior of the existing entrance lobby shall be recorded prior to careful removal to be reused, as a feature, within the development. Prior to their reinstallation the details of the location and nature of the reuse of the saved existing historic encaustic tiles shall be submitted to and approved in writing by the Local Planning Authority. The existing historic encaustic tiles shall be reused in accordance with the approved details.

In the interest of the character and visual amenity of the host listed building and to ensure these important historic features are retained and displayed.

Plans

7) No external lighting shall be installed unless a scheme has previously been approved in writing by the Local Planning Authority. The scheme shall be installed and retained thereafter in accordance with the approved details.

In the interests of amenity and highway safety.

8) Prior to works commencing on site details of the methodology and sample panels for works proposed to the atrium brickwork including details of repointing, cleaning, and any brick replacement shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details.

In the interest of the amenity of the listed building.

9) Prior to works commencing on site a schedule shall be submitted which shall consider the existing stained glass windows to the atrium. This shall state whether each window is to be repaired or replaced. If repaired the method of repair is to be detailed and if replaced sections and elevations of the new frame are to be submitted. The installation of any secondary double glazing shall also be detailed and shall include sections and elevations and the method of fitting to the existing window reveals. All repairs, replacements and additions shall then be carried out in accordance with the approved schedule.

In order to ensure that the window treatments are sympathetic to the character of the listed building.



18/02735/FU

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

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

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

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

3) Notwithstanding the details on the hereby approved plans, prior to the commencement of development details of the design and construction details, the materials, finishes and colours to all new elevations, roofing, flooring, screens, stairs, balustrades, bridges, doors and windows, the central service riser, any louvres, any glazing manifestations, new security gates, any roller shutters, brick arch, stone columns and lintels shall be submitted to and approved in writing by the Local Planning Authority. The new elevations, roofing, flooring, screens, stairs, balustrades, bridges, doors, windows, central service riser, any louvres, any glazing manifestations, new security gates, any roller shutters, brick arch, stone columns and lintels shall be installed in accordance with the approved details.

In the interest of the character and visual amenity of the host listed building and the wider City Centre Conservation Area.

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

- 1) New window and door openings to the New Briggate façade
- 2) New window and door openings in the Harrison Street Premier House façade
- 3) The junctions between the atrium metal screen and the existing buildings
- 4) The junctions of the new atrium roof and the existing buildings
- 5) The junctions of the new central service riser and the existing buildings

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

5) The approved Phase I Desk Study report indicates that a Phase II Site Investigation is necessary, and therefore development shall not commence until a Phase II Site Investigation Report has been submitted to, and approved in writing by, the Local Planning Authority.

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

To ensure that the presence of contamination is identified, risks assessed and proposed remediation works are agreed in order to make the site 'suitable for use'.

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

To ensure that any necessary remediation works are identified to make the site suitable for use.

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

To ensure that the remediation works are fully implemented as agreed and the site has been demonstrated to be suitable for use.

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

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

9) No development shall take place until a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, lockable containers, details of recyclable materials collection with timescales. The approved scheme shall be implemented before the development is brought into use and no waste or litter shall be stored or disposed other than in accordance with the approved scheme.

In the interests of residential amenity and to promote recycling.

10) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be

submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

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

11) Development shall not commence until details of access, storage, parking, loading and unloading of all contractors' plant, equipment, materials and vehicles (including workforce parking) have been submitted to and approved in writing by the Local Planning Authority.

The approved facilities shall be provided for the duration of construction works.

To ensure the free and safe use of the highway.

12) Notwithstanding the approved details, before development is commenced full details of cycle/motorcycle parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved cycle/motorcycle parking and facilities have been provided. The facilities shall thereafter be retained for the lifetime of the development.

In the interests of highway safety.

13) Prior to the commencement of the development the applicant will submit for approval by the Local Planning Authority construction details of the proposed footway crossings [and/or reinstatement to full height footway of any redundant existing crossings] along the site frontage. The crossings [and/or reinstatements] must be constructed in accordance with the approved details and be fully implemented prior to the first occupation of the development to the satisfaction of the Local Planning Authority.

In the interests of highway safety.

14) No development shall take place until a Training and Employment Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall set out how the developer will co-operate with Employment Leeds in order to promote training and employment opportunities for local people from the start of the tendering process for the construction of the development, throughout the period when the hereby approved development is under construction and the future occupation and shall include:

- measures to ensure the developer, contractors and sub-contractors work directly with Employment Leeds and other local employment and training agencies to promote local labour.
- a method statement for the purpose of facilitating the appointment of contractors and sub-contractors and local people in the construction works with an estimated target for local job opportunities, including a timetable of proposed works.
- a method statement identifying the number and types of employment and training opportunities that can be accessed by Local People within the development.

- measures to provide training opportunities in respect of any new jobs.
- full details of how information about the recruitment and retention of local people as employees within the development and the training in place for apprentices and the existing workforce is to be reported to Employment Leeds.
- details of any employment vacancies that are created within the development will be promoted via Employment Leeds.

The measures identified shall be implemented in accordance with the approved plan.

To ensure residents are able to access local job opportunities in accordance with adopted Core Strategy (2014) policy SP8.

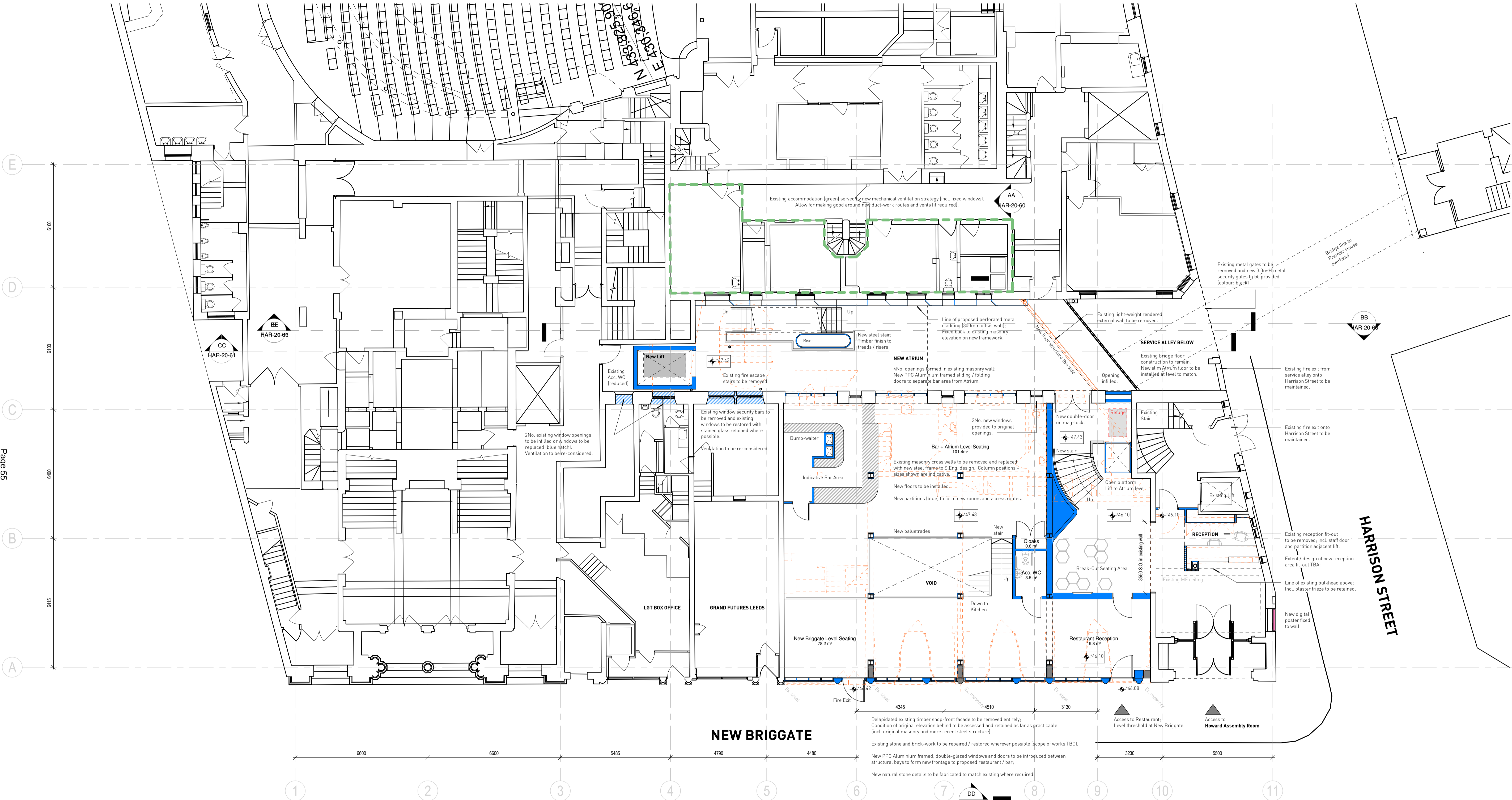
15) No external lighting shall be installed unless a scheme has previously been approved in writing by the Local Planning Authority. The scheme shall be installed and retained thereafter in accordance with the approved details.

In the interests of amenity and highway safety.

16) Details of any external extract ventilation system shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the system shall be installed and maintained in accordance with the approved details.

In the interests of visual and residential amenity.

Hot food uses will often require an extract ventilation system to deal with odour and fumes. Guidance on suitable design is provided in DEFRA guidance at:  
<http://www.defra.gov.uk/publications/files/pb10527-kitchen-exhaust-0105.pdf>



**Howard Assembly Room Main Entrance + Restaurant (+46.10)**

- 00 Series General Arrangement Notes**
1. Any areas indicated on the plans are approximate. They relate to the likely areas of the building at the current state of the design and are calculated using the stated eg(NIA) method from the Code of Measuring Practice 5th Edition RICS/BSVA. Any decision to be made on the basis of these predictions, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for design development and building tolerances. Floor areas are subject to Planning, Building Control and other statutory approvals.
  2. Any structural, services or fit out detail shown is for coordination only, refer to relevant Consultants/Clients information for details.
  3. Refer to Enjoy NBS for full outline performance specification of Architectural Elements.
  4. THE CONTENT OF THIS DRAWING IS FOR DESIGN INTENT AND REQUIRES FURTHER DESIGN DEVELOPMENT AND COORDINATION WITH ALL RELEVANT CONSULTANTS, SUB-CONTRACTORS, SPECIALIST DESIGNERS AND STATUTORY AUTHORITIES.

**Notes.**

Notional bar / restaurant use is subject to shell and core works only; indicative layout subject to change. Life-saving alarm systems, incl. detection, lighting and sounders to be provided. Refer to further information provided by M+E engineer and the proposed fire strategy.

**GA LEGEND**

- Existing building fabric
- Demolition / Clearance works
- New construction
- Existing floor level
- Proposed floor level

1 : 100

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

Rev.	Des.	By	Date	Ch.	Status:
F	Stage 4 amendments.	JNR	14.06.18	RG	
E	Curtains BIM updated. Atrium level changes implemented.	JNR	17.05.18	RG	
D	Stage 3 co-ordination updates. Issued for Planning App.	JNR	17.04.18	RG	
C	Atrium service riser size amended at this level.	JNR	09.04.18	RG	
B	Curtains BIM imported. Partitions and doors added to support fire strategy. Atrium service riser amended. Atrium screen depth reduced; main stair shifted to suit.	JNR	05.04.18	RG	
A	Replacement security gates to service alley	JNR	28.03.18	RG	

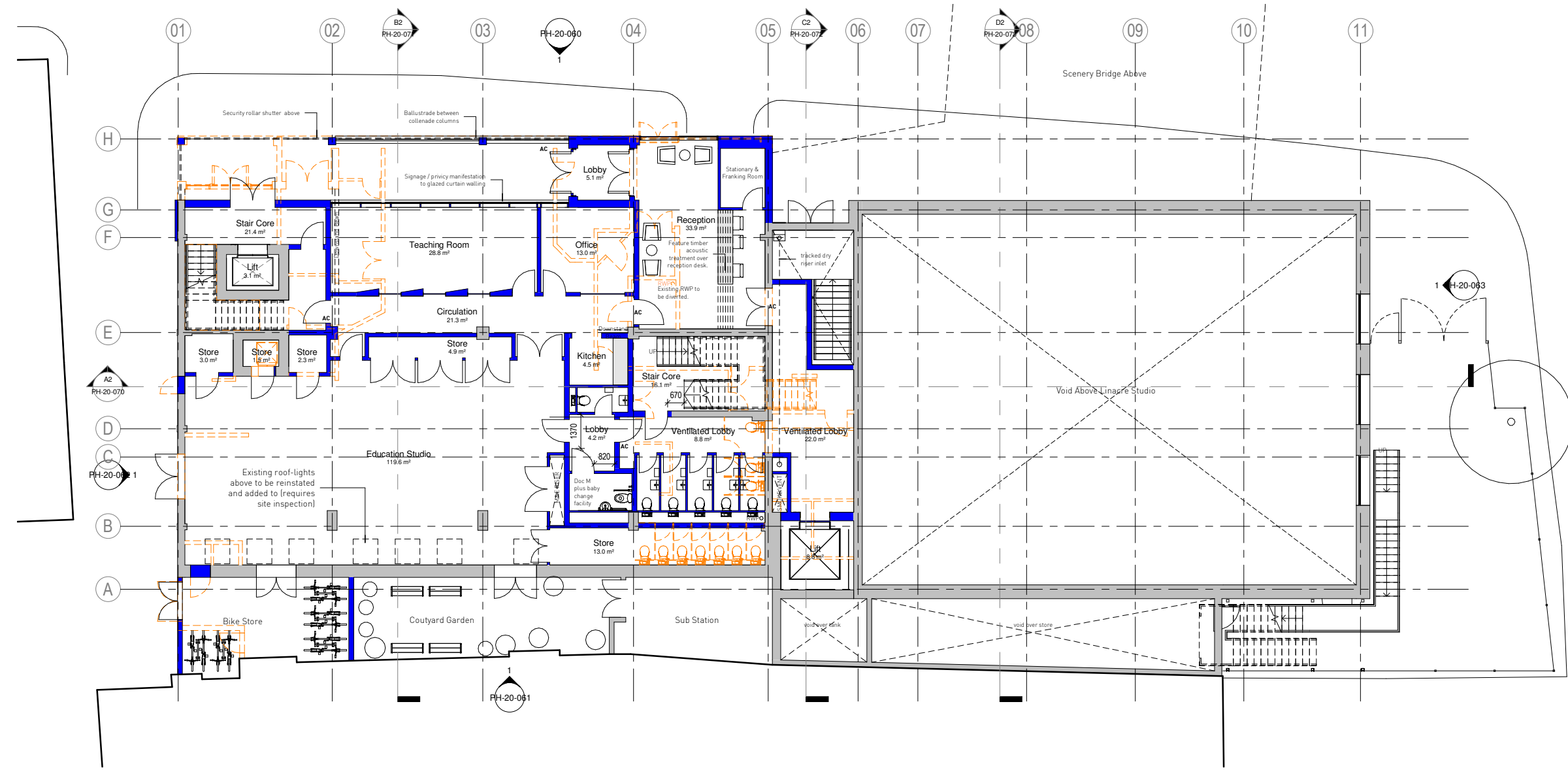
Client: Opera North  
 Project: Howard Assembly Room / Leeds Grand Theatre  
 Title: General Arrangement, HAR Main Entrance, Restaurant + Atrium  
 Date: 03/16/18  
 Scale: 1 : 1000A1  
 Drawing No: HAR-20-41  
 Checked by: RG  
 Drawn By: JNR  
 Revision: F

Client: Job No: 16007  
 Project: Howard Assembly Room / Leeds Grand Theatre  
 Title: General Arrangement, HAR Main Entrance, Restaurant + Atrium  
 Date: 03/16/18  
 Scale: 1 : 1000A1  
 Drawing No: HAR-20-41  
 Checked by: RG  
 Drawn By: JNR  
 Revision: F

ENJOY DESIGN

**00 Series General Arrangement Notes**

- Any areas indicated on the plans are approximate. They relate to the likely areas of the building at the current state of the design and are calculated using the stated egn(A) method from the Code of Measuring Practice 5th Edition RICS/GVA. Any decision to be made on the basis of these predictions, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for design development and building tolerances. Floor areas are subject to Planning, Building Control and other statutory approvals.
- Any structural, services or fit out detail shown is for coordination only, refer to relevant Consultants/Clients information for details.
- Refer to Enjoy NBS for full outline performance specification of Architectural Elements.
- THE CONTENT OF THIS DRAWING IS FOR DESIGN INTENT AND REQUIRES FURTHER DESIGN DEVELOPMENT AND COORDINATION WITH ALL RELEVANT CONSULTANTS, SUB-CONTRACTORS, SPECIALIST DESIGNERS AND STATUTORY AUTHORITIES.



**Proposed Ground Floor General Arrangement**  
1: 100

Page 56

Notes.

1: 100

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

**GA Colour Key**

- Existing
- Demolished
- Demolished

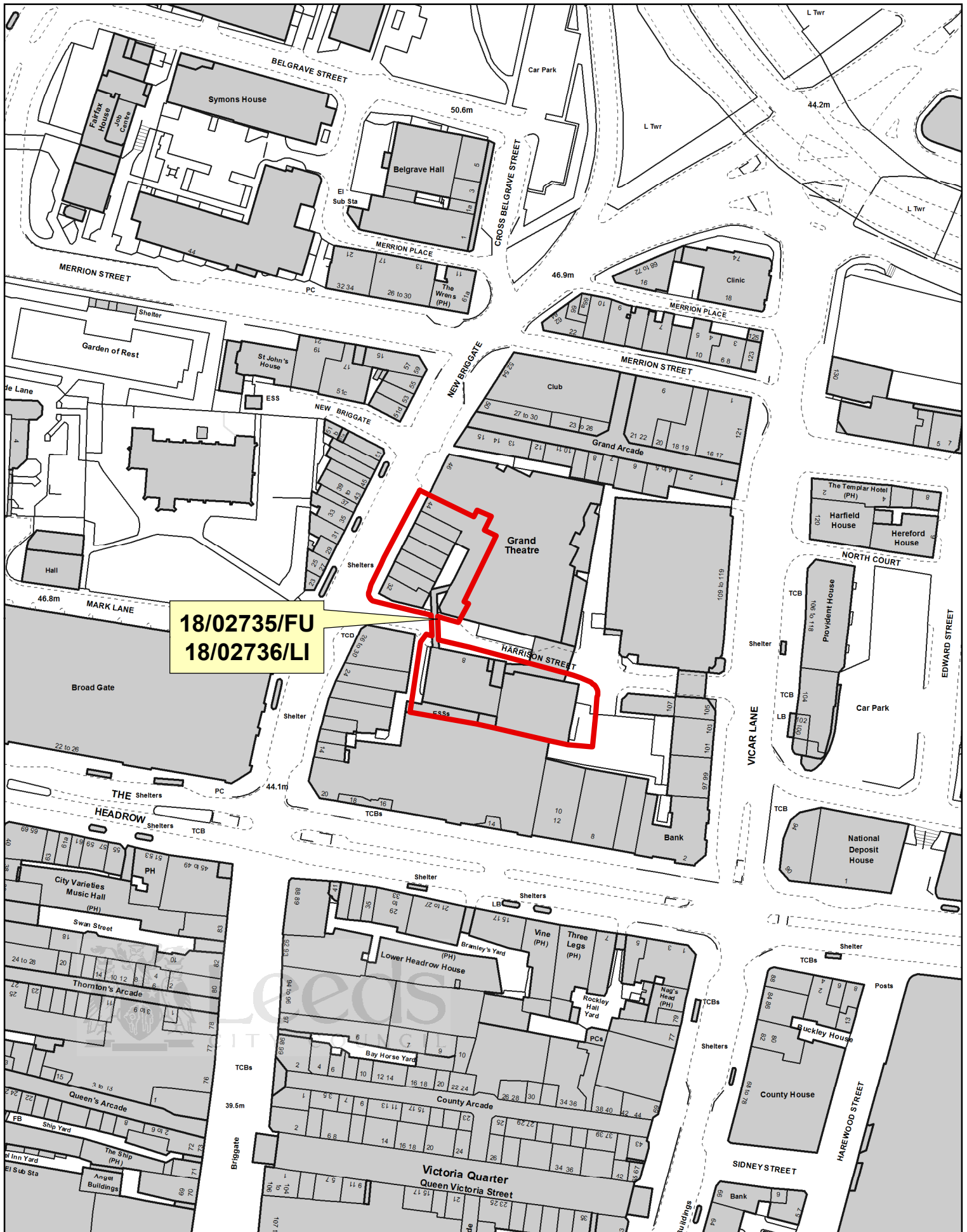
C	Design update	MDGP	09.07.18	RG
B	Planning Issue	MDGP	24.04.18	RG
A	M&E, Structure & Fire Consultants Coordination	MDGP	06.04.18	RG
Rev.	Des.	By	Date	Ch.

**INFORMATION**

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Client:	Opera North	Job No:	16007
Project:	Premier House		
Title:	Proposed Ground Floor GA Plan		
Date:	03/16/18	Scale:	1 : 100 (A1)
Checked by:	RG		
Drawing No:	PH-20-051	Drawn By:	MDGP
Revision:	C		





**18/02735/FU**  
**18/02736/LI**

# CITY PLANS PANEL



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Originator: Sarah McMahon

## Report of the Chief Planning Officer

### CITY PLANS PANEL

Date: 23 August 2018

**Subject: PREAPP/18/00067 Partial demolition and rebuilding of the Leonardo Building, the conversion of Thoresby Building and 2 Great George Street for a change of use from offices to a mix of hotel, office, restaurant/café and bar uses and the extension of existing buildings, with a new build hotel on car park site at The Leonardo Building, Thoresby House and 2 Great George Street, Leeds, LS2 8HD**

### APPLICANT Ide Real Estate

#### Electoral Wards Affected:

Little London and Woodhouse

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 evolving scheme to allow Members to consider and comment on the proposals at this stage.**

## 1.0 INTRODUCTION:

1.1 Members will recall being provided with a preapplication presentation of the emerging scheme for this site at City Plans Panel on 10 May 2018. There has been significant positive engagement by the Developer's team with Officers to address Members comments and this current presentation is intended to inform Members of the evolving proposals. The proposals are brought back to City Plans Panel as the development involves major investment in important heritage assets which are located in a key location within the City Centre.

## 2.0 PROPOSAL

2.1 The proposals involve the regeneration and extension of the Grade II Listed Thoresby and Leonardo Buildings and No. Great George Street and the creation of a new third building between the two historic buildings. All proposed works would facilitate a change of use from offices to a mix of hotel, office, restaurant/café and

bar uses across the site. Since the Plans Panel of 10 May 2018 the scheme has been revised such that all building heights have been reduced by one storey, the central new building has been remodelled allowing it to become more contextually relevant, the new corner building to the Leonardo building has been redesigned, the roof top extension to No.2 Great George Street has been amended from a curved to a rectilinear form and the depth of the public space between the new building and Thoresby House has increased to some 16.8 metres in width. The changes seek to enhance both the scheme and the setting of the existing and proposed buildings within their heritage rich location.

- 2.2 The changes Thoresby Building would require demolition of the attached 20<sup>th</sup> century Leonardo Building (but not the older part of the Leonardo Building) and the roof of the Listed Thoresby Building. A new extension would be built to replace the removed part of the Leonardo Building as well as a second extension across the top of the retained part of the Leonardo Building and the Thoresby Building. The regenerated set of buildings would be put into use as office space, with ground floor A1 retail, A3 (restaurant and café) and A4 (bar) uses. A large new entrance point would be created to the east face of the building, to sit between the two existing stone detailed doorways, which would link into the building's retained atrium.
- 2.3 The Listed No. 2 Great George Street would be altered internally with the addition of a mezzanine to add in an extra floor space for the creation of a new premium hotel. In addition, the existing 20<sup>th</sup> century entrance portal will be removed and a new entrance to the west face of the building will be created. In addition a new glass extension would be added to the roof top of the building. To the ground floor level a mix of A3 (restaurant and café) and A4 (bar) uses is proposed
- 2.4 On the car park in the middle of the site it is proposed to create a new third building to house a second hotel. This would be a contemporary building which would be scaled and detailed to take account of the site's historic context. At the ground floor level a mix of A3 (restaurant and café) and A4 (bar) uses are proposed with the aim being that users can access any and all of the ground floor uses across the three buildings.
- 2.5 Between the three buildings new publicly accessible open landscaped spaces are to be created. These would be accessed from north south routes through them or from east west routes running between the three buildings.

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

- 3.1 The site is the existing conjoined Thoresby Building and the two parts of the Leonardo Building and the stand alone No.2 Great George Street and the car park and open spaces between them. The buildings and spaces are set within Leeds City Centre and are within the boundary of the City Centre Conservation Area. To the east across Woodhouse Lane is the Merrion centre dating from the 1960s and providing a mixture of shopping, leisure, office and hotel uses. To the north across Rossington Street is the Grade II\* listed City Museum and the Grade II listed 43 Woodhouse Lane in use as a bar. To the west is the Grade II listed Electric Press site with a bar use facing the site. To the south across Great George Street is the Grade II\* St. Anne's Cathedral, the Grade II listed Cathedral Chambers (in office use) and the modern K2 tower complex housing a mixture of office, residential and leisure uses.
- 3.2 The Thoresby House and the railings and gates to the open spaces adjacent to it are Grade II Listed. Formerly known as: Thoresby High School the building has

been most recently in use as Council offices. Designed by Walter Samuel Braithwaite in a Classical style the 4 storey building is predominantly brick, with stone dressings and a slate roof. It dates from 1889.

- 3.3 The Leonardo Building is a Grade II Listed former print works building dating from 1900. It was extended to the north west in the late 1990s, and most recently in use as Council offices. The former print works building was designed by Chorley and Pickersgill as a 4 storey red brick and ashlar corner building. An entrance sits to the corner under an arch with fluted pilasters. There is a wrought iron balcony to the 2<sup>nd</sup> floor level windows at this corner and balustrade parapets to the 3<sup>rd</sup> storey and towers.
- 3.4 No.2 Great George Street and its attached wrought-iron railings is also a Grade II Listed Building. This was designed by Birchall and Kelly (with alterations by Landless) and having been a school, was converted to offices in 1994. The building is 3 storeys, red brick with stone dressings in a Classical style. There are giant Ionic pilasters to the ground and 1st floors supporting entablature with small windows and a heavy cornice and full-height windows to the storeys above. The former main entrance has paired Ionic columns with a balustrade above and a rusticated round arch to the doorway.

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

- 4.1 Approval was granted for a Listed Building application to demolish a chimney and a greenhouse and other alterations and 2 single storey extensions to form offices on 21 January 1994, planning reference 20/353/93/LI.
- 4.2 Approval was granted for a change of use, alterations and 2 single storey extensions to a school to create offices on 21 January 1994, planning reference 20/354/93/FU.
- 4.3 Approval was granted for a seven storey office building (The Leonardo Building) on 16 April 1997, planning reference 20/686/96/FU.

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

- 5.1 The proposals have been the subject of discussions between the Developers, their Architects, and the Council since January 2018. These discussions have focused on the change of use, heritage matters, scale, massing and design, sustainable transport, access and connectivity and public realm.
- 5.2 Members received a preapplication presentation on the scheme at City Plans Panel on 10 May 2018 and raised the following points;
- There was no continuity between the existing and the new build elements
  - The proposed new elements were disrespectful to the existing
  - In terms of the new build hotel, a number of Members expressed the view that too much was being squeezed onto the site
  - The proposed glass roof extension to the Leonardo Building was too dominant and too modern
  - Members appeared supportive to the principle of a glazed roof extension to 2 Great George
  - One Member suggested the rib design for the glazed roof was too imposing
  - Members requested more detail about the infill design and colour of the new build elements

- Members expressed the view that the quality of the proposal should not be lowered

In drawing the discussion to a conclusion Members provided the following feedback;

- Mixed views were expressed about the emerging scale, massing and design of the development, a number of Members were partially supportive others were not

- Members were supportive of the emerging landscape scheme and approach to connectivity

- Members were supportive of the principle of the demolitions and accepted some alterations were required to the listed buildings.

The scheme is now returned to City Plans Panel following detailed positive discussions between the Developer and Officers, to respond to Members comments.

5.3 Little London and Woodhouse Members were consulted on 31 May 2018.

## **6.0 RELEVANT PLANNING POLICIES:**

6.1 The National Planning Policy Framework 2018 (NPPF) was revised and adopted in July 2018 and sets out Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

6.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

6.3 Paragraph 16 of the NPPF sets out the Core Planning Principles for plan making and decision taking. Part b) states that plans should be prepared positively, in a way that is aspirational but deliverable/

6.4 Paragraph 38 of the NPPF states that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible

6.5 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community

6.6 Paragraph 85 of the NPPF states that Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:

d) allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. Meeting anticipated needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review where necessary;

- 6.7 Paragraph 124 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process
- 6.8 Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).
- 6.9 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 6.10 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>63</sup>.
- 6.11 Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- 6.12 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.13 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.

**6.14 Leeds Core Strategy**

6.15 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:

6.16 Spatial Policy 1: Location of Development states that;

- (iv) To prioritise new office, retail, service, leisure and cultural facilities in Leeds City Centre and the town centres across the district, maximising the opportunities that the existing services and high levels of accessibility and sustainability to new development
- (v) To promote economic prosperity, job retention and opportunities for growth:

6.17 Spatial Policy 3: Role of Leeds City Centre states that the importance of the City Centre as an economic driver for the District and City Region will be maintained and enhanced by:

- i) Promoting the City Centre's role as the regional capital for major new retail, leisure, hotel, and culture and office development.

6.18 Spatial Policy 8: Economic Development Priorities states that a competitive local economy will be supported through:

- (vii) Developing the city centre and the town/local centres as the core location for new retail and office employment and other main town centre uses.

6.19 Policy CC1: City Centre Development  
The City Centre will be planned to accommodate at least the following:

- (i) 655,000 sqm of office floorspace.
- (iv) Supporting services and open spaces and improvements to the public realm

6.20 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.

6.21 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.

- 6.22 Policy P12: Landscape states that;  
The character, quality and biodiversity of Leeds' townscapes and landscapes, including their historical and cultural significance, will be conserved and enhanced to protect their distinctiveness through stewardship and the planning process
- 6.23 Policy T1: Transport Management states that support will be given to the following management priorities:  
(i) Develop and provide tailored, interactive, readily available information and support that encourages and incentivises more sustainable travel choices on a regular basis.  
(ii) Sustainable travel proposals including travel planning measures for employers
- 6.24 Policy T2: Accessibility Requirements and New Development states that new development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility:
- 6.25 **Leeds Unitary Development Plan Review 2006 - Retained Policies**
- 6.26 Relevant Policies include:  
Policy BD2 (Design and siting of new buildings)  
Policy BD5 (All new buildings and amenity)  
Policy GP5 (All planning considerations)  
Policy LD1 (landscaping schemes)  
Policy N15 (Changes of use of listed buildings)  
Policy N16 (Extensions to listed buildings)  
Policy N17 (All listed buildings)  
Policy N18A (Level of contribution of building to be demolished in a conservation area)  
Policy N19 (New buildings and extensions within or adjacent to a conservation area)  
Policy N23 (Space around new buildings)
- 6.27 **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.
- 6.28 **Supplementary Planning Guidance**
- 6.29 Sustainable Design and Construction Supplementary Planning Document (August 2011).
- 6.30 Supplementary Planning Document 'Travel Plans' (February 2015)
- 6.31 Parking Supplementary Planning Document adopted January 2016.
- 7.0 KEY ISSUES**
- 7.1 The mix of uses and the public routes, realm and landscaping were agreed, in principle, by Members at the City Plans Panel of 10 May 2018.
- 7.2 Principle of the mix of uses

- 7.3 The revised proposal remains to create two new separate hotels on the site, a premium hotel in No.2 Great George Street, and a second hotel as part of a new building on the current car park and open space between No. 2 Great George Street and the Thoresby Building. Within the Thoresby and Leonardo Building the principle use will be office accommodation with a focus on flexible spaces for innovative business start-ups. As such the developer is in discussions with the Council with regard to how their scheme can engage with the emerging Innovation Zone for this area of Leeds City Centre. At ground floor levels the proposal is to create a mix of A1 retail, A3 (restaurant and café) and A4 (bar) uses with further A3 (restaurant uses within the tops of the two new hotels as well as connected route through the site linking to the surround streets, both north-south and east-west.
- 7.4 The principle of the uses are supported by Council Planning Policy and are likely to be accommodated without loss of amenity in this mixed use city centre location. The mix of proposed uses would further add to the vibrancy and vitality of both the daytime and evening economies of this part of the City Centre.
- 7.5 Design, Massing, Scale and Layout
- 7.6 The scheme has progressed, taking account of Member's comments at Plans Panel on the 10 May 2018 in respect of its design, scale, massing and potential materiality of the new built elements.
- 7.7 With regard to the proposed changes to the Listed Leonardo and Thoresby Buildings and the 20<sup>th</sup> century section of the Leonardo Building, the scheme has been revised such that the roof extension to the Listed Thoresby and Leonardo Building is redesigned and reduced by one storey and a corner extension to replace the existing 20<sup>th</sup> century part of the Leonardo Building that is to be demolished has been redesigned. These have been redesigned to be contemporary yet historically sensitive interventions.
- 7.8 The revised roof extension is vertically aligned, is set back and stepped such that it is would be seen as a background feature behind the building lines of the Listed Leonardo and Thoresby Buildings. In respect of appearance the structure would be visually lightweight and glassy.
- 7.9 The new built element that is to replace the current 20<sup>th</sup> century part of the Leonardo Building has been redesigned to create an ordered façade with materials and tones (likely to be a reconstituted stone) to reflect the historic setting. Here the façade is expressed with a vertical emphasis and uses horizontal spandrels to allow it wrap around the corner and meet the different architectural detailing of the Listed retained Leonardo Building and the Listed Thoresby House. Officers consider that both of this element and the above mentioned roof extension have been remodelled in a positive direction such that they complement and reflect the rich detailing in the host and nearby historic buildings.
- 7.10 To the existing stepped courtyards between the Thoresby Building and No. 2 Great George Street the scheme has been revisited. The proposal remains for a contemporary building however the choice of materials and detailing of facades takes better account of the historic setting. As such the terracotta coloured concrete clad building would have a solid frame with depth created by the setting back of the vertically aligned windows. This would result in the building facades would have a strong vertical emphasis with a secondary, more subtle horizontal modular banding in the line of the set back glazing. The ground floor would be inset and would be



stepped across the site to take in the levels change that exists at the site. As a result the ground floor is in effect two levels with a generous floor to ceiling height. At the ground floor level the elevational treatment would be different to the upper levels. Here large areas of glazing are proposed to the sides and corners of the building to aid views into and out of new public realm spaces that are to be created to the east and west of the block. The new building has been pulled back from the Thoresby House side allow for a more generous public realm space of up to 16.8 metres in width for the majority of the building's length (14.2 metres at its minimum where the building steps out). To the east side of the new building the public realm would step from 6.5 metres (where the new building steps out) to 12.8 metres in width for the majority of the length between the new block and No.2 Great George Street. Officers consider that the proposal has been redesigned to be a more complimentary, heritage sensitive insertion into the wider historic context.

- 7.11 The proposal to the roof of No. 2 Great George Street has been amended to add a rectilinear three storey extension (which was formally a four storey curved form) that would sit in behind the roof parapet of this listed building. The design ethos for this extension is to allow it to crown the building and the façade would be predominantly glazed with feature Corten detailed areas. A new parapet is to be created adding height to the existing structure. This would be finely detailed pigmented precast concrete, which would pick up the existing cornices and string courses of the host historic building below. Officers consider that, provided the extension is designed to be of a light weight appearance, this extension would be an appropriate addition
- 7.12 The changes will include reuse of the original Woodhouse Lane entrance to 2 Great George Street and the original south-west corner entrance to the Leonardo Building and create roof top bars and restaurants.
- 7.13 The developer has prepared key views and cross-sections of the revised proposals for the extensions and the additional building to demonstrate that they would sit comfortably within the local context and not adversely affect the setting of nearby heritage assets or unduly dominate views along the adjoining streets.
- 7.14 **Do Members support the emerging scale, massing and design of the proposals?**
- 7.15 Heritage Impact
- 7.16 The proposals involve the change of use, part demolition, extension and alterations of listed buildings. Listed Building Consent would therefore also be required in addition to planning permission.
- 7.17 On the basis of the information provide thus far Officers consider that the level of demolitions and alterations will be likely to lead to less than substantial harm to the significance of these designated heritage assets and the character of the City Centre Conservation Area, and as such the proposals can be justified in accordance with the considerations of paragraph 134 rather than paragraph 133 of the NPPF. 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 heritage asset is established, considerable weight needs to be attached to that harm. The 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.

- 7.18 The developer has put forward the following public benefits of the scheme:
- *To secure the long-term and viable re-use of the Grade II listed Great George Street, Leonardo and Thoresby buildings, and provide an opportunity to reveal and restore historic features within the buildings to the benefit of the public;*
  - *Create a vibrant city centre leisure and hospitality destination, which will enhance Leeds' visitor offer and encourage the high-spending, long-stay business and leisure visitors to the city;*
  - *Deliver 'best in class' flexible office accommodation, which can support start-up companies and growing Small and Medium Size Enterprises, particularly those in the technology and media sectors. This will help to attract investment to Leeds and retain talent;*
  - *Create new publicly accessible rooftop leisure spaces (food & beverage uses) that will enable the community to enjoy vistas across Leeds;*
  - *Provide high-quality publicly accessible public realm, which will integrate the site with the rest of the city, particularly Millennium Square;*

The developer also states that a subsequent planning application would include an Economic Benefits Statement demonstrating:

1. *The direct, indirect and induced employment generated via the operational 'lifetime' of the scheme.*
2. *The increased economic productivity in the form of GVA uplift annually during the operational 'lifetime' of the scheme*
3. *The additional visitor expenditure generated by the increase in hotel bed capacity provided by the hotels*
4. *The additional incomes (and associated spending power) generated by those employed by the hotels, food & beverage uses, and by the occupiers of the new office accommodation;*
5. *The scale of the direct employment during the construction phase, and the indirect benefits to local supply chain, related businesses, and onward expenditure within the City and across the wider regional economy;*
6. *The applicant is committed to enter a local employment and skills plan to ensure these economic benefits can be realised as locally as possible."*

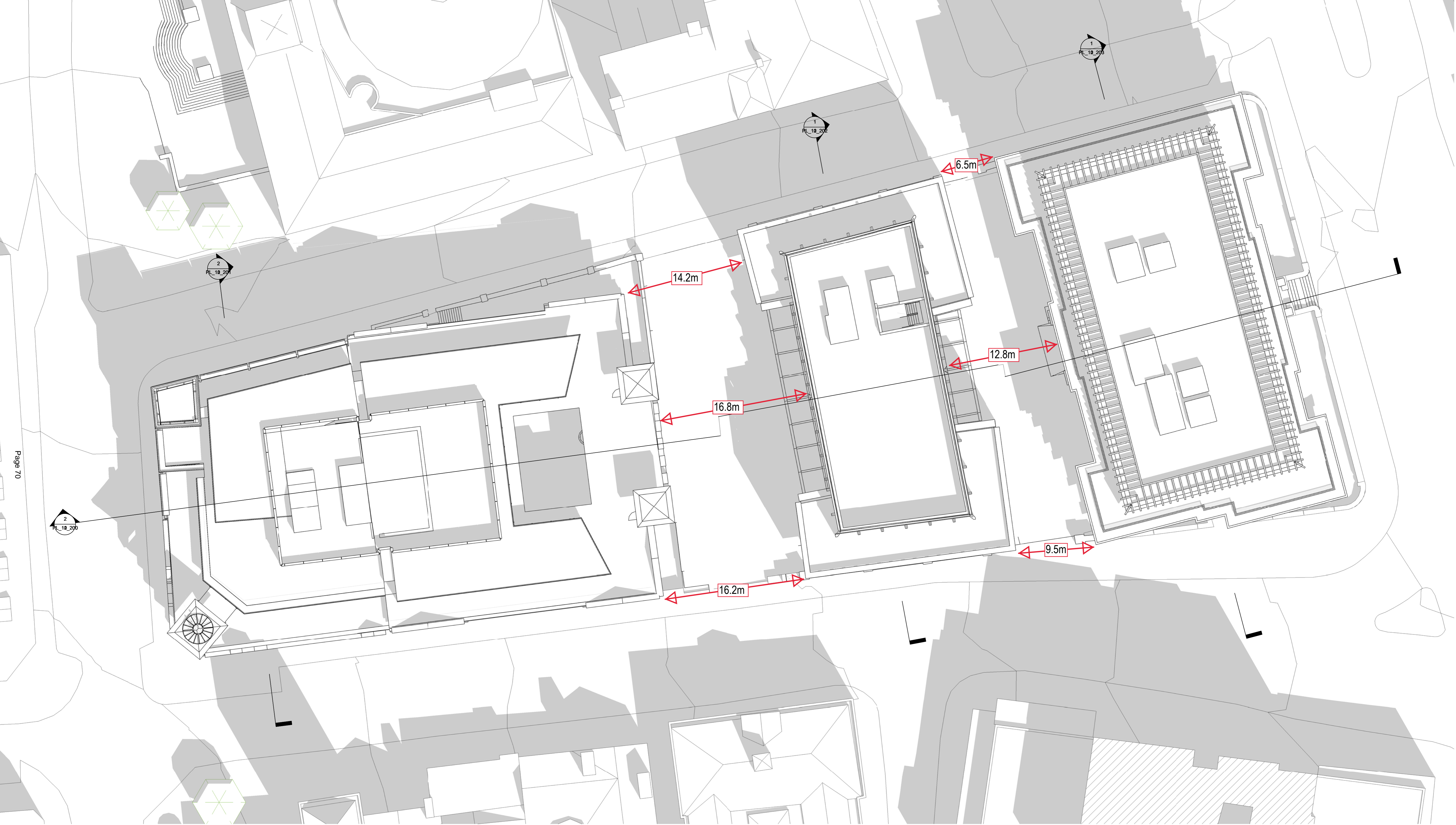
- 7.19 The developer has advised that for the proposals to be more adaptable for future use and viable there is a requirement for additional roof top floor space and a new extension replacing the 20<sup>th</sup> century Leonardo Building to provide more regular floorplates spanning across all three parts of the Leonardo and Thoresby buildings. It is considered that the emerging design of the proposed extensions would be of high quality and would be a positive addition to the streetscene, without unduly dominating the setting of nearby listed buildings. In addition, the proposals would allow important underused historic areas of the Listed Buildings to be brought back into use and to be viewable by the public, such as the atrium in the Thoresby Building, the corner entrance in the Leonardo Building and the tiled main entrance in No. 2 Great George Street. Therefore, whilst Officers acknowledge that there will be some (but not substantial) harm by virtue of the extent of demolition and alterations, this is likely to be of a tolerable level when balanced against the public benefits the regeneration of the buildings will realise.

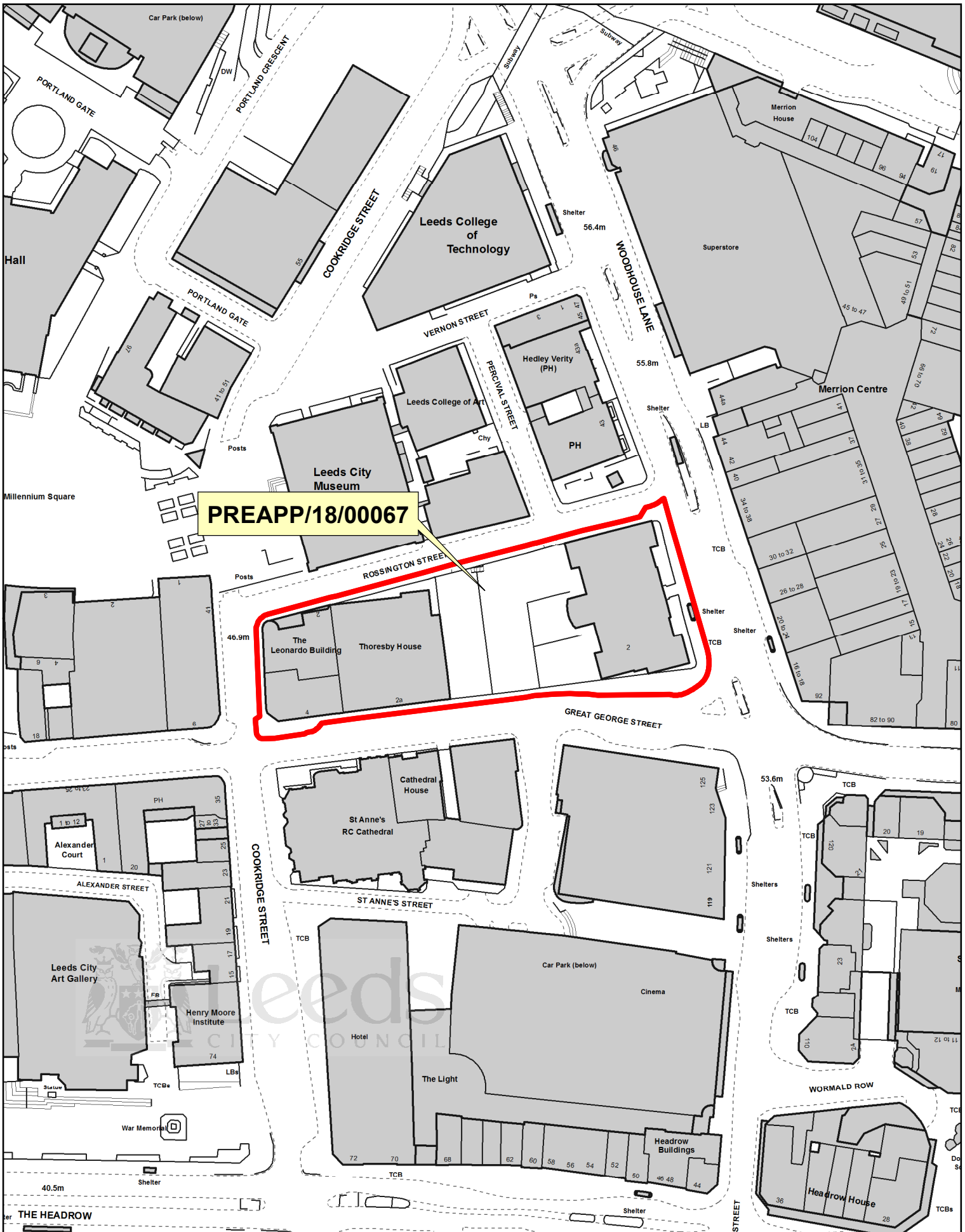
## **8.0 CONCLUSION**

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

- 7.14 Do Members support the progressing scale, massing and design of the proposals?**

**Background Papers:**  
PREAPP/18/00067





# CITY PLANS PANEL



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