



Leeds
CITY COUNCIL

Originator: Paul Kendall

Tel: 0113 2478196

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 24th October 2013

Subject: APPLICATION 13/04059/RM/C - RESERVE MATTERS APPLICATION FOR 2 NO. SIX STOREY OFFICE BUILDINGS WITH BASEMENT CAR PARKING AND LANDSCAPING AT WELLINGTON PLACE (BUILDINGS 5 AND 6) – CORNER OF WHITEHALL RD AND NORTHERN ST.

APPLICANT

Wellington Place General
Partner Ltd

DATE VALID

28th August 2013

TARGET DATE

27th November 2013

**Electoral Wards Affected:
City and Hunslet**

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Defer and Delegate the final decision to officers subject to variation of the existing S106 agreement to bring forward payments and make an additional payment of up to £270,000 by the applicant to assist in the provision of the Whitehall Rd/Northern St junction improvements to provide pedestrian crossing facilities.

1.0 INTRODUCTION:

This application is being brought to Panel as it is for two significant new buildings which are part of a much larger development site in the City Centre. The overall site has the benefit of outline planning permission for 13 buildings of which 4 have now received approval of reserved matters, agreed by Members at Panels in 2009 and 2010.

2.0 PROPOSAL:

2.1 Background - Outline Approval

The outline permission for the whole of Wellington Place was for 13 individual buildings, with the site under consideration as part of this application being for 2 of those buildings in the south-eastern corner close to the Northern St/Whitehall Rd junction. The outline permission granted approval for both the layout and the means of access to the site and therefore the matters for consideration as part of this application are the scale of the buildings, their external appearance/design and the landscaping. The conditions attached to the extant outline permission will control the details of each individual building.

2.2 The outline scheme set a maximum height of development using a design code across the entire Wellington Place site. On the northern side of Whitehall Rd the maximum height achievable was considered to be the equivalent of approximately 11 storeys and the 5 buildings which comprised this frontage were to be of the same height. From this consistent road frontage height all of the buildings slope downward to the north to allow greater penetration of natural light to the open spaces and pedestrian routes at the heart of the scheme. The building line is set 10m from the public highway which allows a substantial area for pedestrian routes and the retention of the existing line of trees. The permitted scheme contains uses set out in Para 4.1 below.

2.3 Proposed Buildings - Scale

The proposed buildings occupy very similar footprints to those approved as part of the outline scheme and follow the principles set by that scheme in respect of orientation of building lines, relationship to surrounding streets and the generation of pedestrian routes through the scheme.

2.4 Building 5 is located adjacent the Whitehall Rd/Northern St junction and acts as one side of a diagonal route which will steer pedestrians in to the heart of the scheme when approaching from the direction of Leeds Railway Station. Its neighbour to the west, Building 6, forms one side of the main central square of the Wellington PI development and would bring with it the setting out of the landscaped open space area. Whilst the outline permission gives consent up to a height of equivalent 11 storeys, this proposal would result in a reduced scale with the buildings being 7 storeys fronting Whitehall Rd. The buildings slope down to the north to 5/6 storeys.

2.5 The buildings contain the following:

Building 5:

9,860 sqm B1 office
300 sqm A3/A4 restaurant /bar
32 car parking spaces (incl. 3 disabled)
66 cycle spaces

Building 6:

13,365 sqm B1 office
400 sqm A3/A4 restaurant /bar
38 car parking spaces (incl. 5 disabled)
110 cycle spaces

2.6 Elevational Treatment

The elevational treatment has developed to complement the most recently approved buildings at the north-eastern corner of the site (Buildings 3 and 10) which have a well ordered fenestration pattern, depth to their facades and a subtle blend of high

quality materials. The proposed buildings have a full height glazed base, with the elevations above this using a limited variation in the framing composition to create depth and visual interest. These are employed in different ways on various elevations responding to the changing environments and orientations.

- 2.7 The upper floors terminate in a vertically oriented slotted window, parapet which is an innovative architectural motif for this development, having been employed on the approval for other buildings. This encloses the roof space which contains concealed plant areas, photovoltaic array and some open terracing. This is especially so on Building 6 where the large terrace looks out over the main square. This retains the objective of maintaining clean roof lines even when viewed from surrounding taller buildings. The buildings address the Whitehall Rd frontage and wrap around the prominent south-eastern corner where the parapet commences the slope down along its north-eastern elevation.
- 2.8 The design proposes a simple palette of materials, high quality natural stone and glazing, which relates to the other buildings approved on the site and accords with the masonry character established by the Design Philosophy Document attached to the original outline permission
- 2.9 The main entrance to Building 5 will be along its northern side in to the diagonal pedestrian access route with the entrance to Building 6 facing the main square. These will give focus to these prominent elevations and animate the routes around them. The large ground floor glazed elevations and the inclusion of the ground floor commercial elements will also add life and activity. The entrances to these independent units will provide additional focal points and pedestrian activity around the perimeter.
- 2.10 Windows will be cleaned from the ground by monopole and if necessary via a platform lift. Any mechanical devices which may become required will be stored out of view.
- 2.11 Vehicle Servicing and Access
Both buildings have basements and these cover the full extent of their footprints. These basements have a shared access point in the centre of the Whitehall Rd elevation to Building 6. This has a pair of rapid opening roller shutters which will therefore make sure that the elevation is solid when in the closed position but also enable vehicles to gain entry swiftly to prevent them being parked on the approach drive for any period of time. This access point also acts as the southern end of the basement route which will eventually run beneath the entire development once completed. This principle was approved as part of the original outline.
- 2.12 The fact that vehicles are taken immediately beneath the buildings means that the main internal routes of Wellington PI will remain pedestrianized in line with the outline approval. The basements will contain a total of 70 car spaces which is approximately 50% of the UDPR maximum guideline figure for this core car parking location. Dedicated cycle storage areas, changing rooms and showers are proposed to be located in the basement.
- 2.13 Public Realm and Landscaping
The areas around the buildings provide the major pedestrian routes through Wellington Place and these run along their northern side from the Northern St/Whitehall Rd corner, with a secondary north/south route between them. The main space to the west is triangular in plan form and is 100m north/south by 60m east/west.

- 2.14 The submitted landscape plan shows that there are areas of 'interim' and 'permanent' landscaping.

The 'permanent' landscaping works are to be carried out to the pedestrian routes around the buildings themselves. These would be surfaced in banded Granite, which is consistent with other parts of the development and will eventually provide an attractive and high quality pedestrian environment across the whole of the Wellington Place scheme. The planting in the permanent scheme retains the existing mature trees along the Whitehall Rd frontage to retain the continuous green edge and form a boulevard-type appearance to the northern side of Whitehall Rd. A continuous line of trees will also be planted within the granite paving along the main diagonal pedestrian route with smaller trees planted on the secondary route between the two buildings.

- 2.15 In respect of the 'interim' landscaping scheme, because the development of Wellington Place will take place on a phased basis, other buildings will subsequently be constructed around the edge of the main square. This will require heavy plant and construction equipment to access the square which would be likely to damage the surfaces already laid. In addition, there is a basement access road proposed to run beneath the square which would allow the basement car parking areas to link up as part of the approved Transport Strategy. In the light of this, setting out the final treatment is clearly premature until all of the buildings around the square and the basement route have been constructed.

- 2.16 However, the applicant is mindful of the environment which would exist for the occupiers of Building 6 and Building 10 before the final scheme is able to be laid out. It is therefore proposed to install a good quality interim arrangement until this time. This is in line with the proven track record of the developer who has consistently maintained this site to a high standard despite the fact that no development has occurred since the granting of the outline permission. The interim treatment is a series of raised angular lawns containing tree planting. These would be broken up by pedestrian routes surfaced in a bound chipping material and contain public seating and lighting. The area is to be open for public use and so will provide a valuable resource for surrounding workers and residents to enjoy.

- 2.17 Sustainability

The design has focussed on reducing energy use and carbon dioxide emissions through the inclusion of large area of glazing to maximise natural daylight, energy efficient plant including heat recovery systems, LED lighting, photovoltaic arrays, reduced CO2 emissions to less than 25% of the Building Regulation target. As a result of these measures it is the target to achieve a BREEAM rating of 'Excellent'.

- 2.18 The site is within the Zone 3 Flood Risk Area as identified by the Environment Agency. This was considered at outline stage and the finished floor levels of the buildings set to avoid the risk of flooding. The Environment Agency have advised that as long as the requirements of the original outline remain, then they have no further comment to make.

- 2.19 S106 matters agreed as part of outline permission

As part of the outline scheme the development has an associated S106 Agreement and Deed of Variation which covers:

- (i) Contributions to local highways infrastructure.
- (ii) Bus stop provision

- (iii) Public access 24hr to squares, routes, riverside walkway and bridges
- (iv) Provision of low level river bridge
- (v) Provision of connection to listed viaduct
- (vi) Maintenance of public space
- (vii) Affordable housing provision
- (viii) Local employment opportunities
- (ix) Provision of green travel plans

The changes which are to be made to this are set out in para 10.14 below.

3.0 SITE AND SURROUNDINGS:

- 3.1 This site is located at the south-eastern corner of the wider Wellington Place scheme at the corner of Whitehall Rd and Northern St. The northern boundary is currently a vacant and cleared site being used as a compound for the construction cabins for the first building to be built on Wellington Place, Building 10, which is adjacent the Grade II listed lifting tower. To the west is the former car park of the original Aireside retail park which is still used for public car parking.
- 3.2 Wellington Place is currently occupied by a number of existing buildings comprising offices, a hotel and a multi-storey car park. The character is of mixed architectural styles, with the predominant materials being red brick and glass. The scale of the existing buildings varies from 4 to 8 office floors. Building 10 is the first of the new buildings to be built as part of the most recent set of approvals and is 5 storeys with a large glazed elevation facing the tower and stone flank walls and rear elevations with a punched window pattern.
- 3.3 Across the remainder of the site, the applicant has invested in key areas of public realm and has introduced a number of temporary uses (both public and private) in order to encourage its use. These range from a 5-a-side football pitch to allotments and grassed riverside area. Pedestrian routes proposed within the outline plan have been introduced in a temporary state to encourage movement through the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 The most recent and relevant permission relating to the application site is the outline planning permission ref. no. 06/06824/OT. This was agreed in principle by Members at Panel on 1st March 2007 and comprised 13 individual buildings containing:
- Use Class B1 (offices) - 162,800m²
 - Use Class C3 (residential) - 43,650m² (approx. 700 units)
 - Use Class C1 (hotel) - 18,950m²
 - Use Class D1 (cultural and community uses) - 4,900m²
 - Use Classes A1, A2, A3, A4 and A5 (shops, cafes, bars, restaurants etc.) - 10,930m² [A1 floor space restricted to 1,000m² by condition]
 - Basement Car Park - 48,599m² (1,700 spaces)
 - Total - 241,230m²
- 4.2 Most recently reserved matters approvals for 2 buildings were approved at Panel, Building 10 currently under construction next to the lifting tower (app ref 10/02973/RM) and Building 3 at the junction of Wellington St and Northern St (app ref. 10/02974/RM).
- 4.3 Previously Members have also approved reserved matters applications for the building at the western end of Whitehall Rd fronting the river for up to 11 storeys

including offices and residential uses and 'the beach' open space area (app. ref. 08/01695/RM/C) and at a site mid-way along Whitehall Rd for a 5-11 storey office building (app. Ref. 08/04314/RM). To date therefore 4 buildings have received reserved matters approvals of which one is under construction.

- 4.4 Permission has recently been granted for a 9 storey hotel on the southern side of Whitehall Rd close to its junction with Northern St as part of the Town Centre Securities riverside development (app. ref 13/01872/FU)

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers have been involved in a series of meetings with the principle points of discussion being the elevations, the material palette, the profile and silhouette of the sloped parapet and the refinement of detailing.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The proposal was advertised as a major application affecting the setting of a listed building and the character of the conservation area, on site by notice dated 13th September 2013 (expiring 4th October 2013). Ward Members have made no comments on this application.
- 6.2 A letter of support has been received from the Leeds Civic Trust which says that it feels the buildings are of good quality and that there has been a thoughtful approach to the design of the public realm. The 'boulevard' idea along the Whitehall Rd frontage is welcomed.

7.0 CONSULTATIONS RESPONSES:

7.1 Statutory:

Environment Agency: Provided this proposal adheres to the requirements of the original outline then no further comment.

Canals & River Trust: No requirement to make comment.

Yorkshire Water: No objection

7.2 Non-statutory:

Wind: The wind report produced by ARUP is based on a sound interpretation of the likely interactions of the wind with the proposed development. The areas around the building will be suitable for the uses intended of standing, strolling and business walking.

Highways: No objections. The internal ramp dimensions are acceptable as is the roller shutter door. Taxi drop off and refuse collection facilities are both acceptable. A plan has been submitted which indicates how the proposed tunnel link will work. Car and cycle parking levels are acceptable. The splitter island across the vehicle access point is acceptable. The provision of the Northern St/Whitehall Rd junction would be of great benefit to this scheme.

Main Drainage: No objections. The scheme is in line with the original outline and details will be submitted to discharge the original conditions.

Contaminated Land: No objection subject to original conditions.

Police Counter Terrorism Unit: Have advised that the basement car park access and the main entrances provide the main points of weakness.

8.0 PLANNING POLICIES:

8.1 National Planning Policy Framework (NPPF)

The NPPF advocates a presumption in favour of sustainable development, and a “centres first” approach to main town centre uses such as offices. The location of prime office development within the City Centre, close to the railway station, meets this requirement to locate such uses in sustainable locations. The NPPF also promotes economic growth in order to create jobs and prosperity. This new office building would help consolidate Leeds City Centre’s role as the economic driver of the Yorkshire region, and the focus for investment in highly skilled and competitive businesses, as advocated by the emerging Core Strategy.

8.2 Development Plan

Leeds Unitary Development Plan Review 2006 (UDPR)

UDP Proposal Area Statement 2 identifies the site as a major opportunity for the expansion of the Prime Office Quarter, principally through offices, but with other essential uses, such as major public space, pedestrian linkages, leisure, entertainment and catering uses. Supporting secondary uses such as cafes, restaurants and bars are also considered to be acceptable. The proposals therefore remain consistent with the site-specific allocation.

The adopted UDPR sets out guidelines for the development and design of new buildings. Urban Design and Building Design are addressed by policies BD2, N12 and N13 and require that development respects certain fundamentals of urban design. Spaces between buildings are important as they create a series of linked and varied spaces. Movement on foot and on bicycle should be encouraged and new developments should respect the character and scale of buildings and the routes that connect them. Buildings should be of high quality and have regard to the character and appearance of their surroundings.

Landscape policy LD1 requires any scheme to relate to the scale and form of the adjacent building, provide suitable access, visual interest from street level and surrounding buildings

Other relevant policies include:

GP5 all relevant planning considerations

GP7 planning obligations

GP11 sustainability

GP12 sustainability

A1 improving access for all

A4 safety and security provision

N25 boundary treatments

BD4 all mechanical plant

CC3 City Centre character

CC10 public space and level of provision

CC11 streets and pedestrian corridors

CC12 public space and connectivity

CC13 public spaces and design criteria

E14 Office development

T2 Transport provision for development
T2D public transport provision for development
T5 pedestrian and cycle provision
T6 provision for the disabled
T7A cycle parking
T7B motorcycle parking
T24 Car parking provision
N38A development and flood risk
N38B planning applications and flood risk assessments
N39A sustainable drainage systems

8.3 Leeds Natural Resources and Waste DPD 2013

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

8.4 Relevant supplementary guidance

An objective of the City Centre Urban Design Strategy is to realise the potential for the redevelopment of unsightly surface car parks with high quality buildings and spaces

8.5 Leeds Core Strategy Publication Draft 2012

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. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for an examination which will take place this month. Some weight can now be attached to the document and its contents recognizing that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination

Of particular relevance to this scheme proposal is Spatial Policy 3 Role of Leeds City Centre. This policy seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by

- promoting the City Centre's role as the regional capital of major new office development,
- making the City Centre the main focus for office development in the District (one of the focus areas is the West End which includes Wellington Place)
- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods

Core Strategy Policy CC1 outlines the planned growth within the City Centre, including office growth.

9.0 MAIN ISSUES

Accordance with the outline permission
The Scale of the proposed buildings
Quality of the design
Vehicular and pedestrian access
Public realm design
Sustainability
S106 obligations

10.0 APPRAISAL

10.1 Conformity with Outline Approval

The use of this site primarily as offices with ancillary ground floor commercial uses has already been established by the outline permission and is acceptable. These buildings are part of a much larger overall scheme which will be developed over time on a phased basis. There is an overall quantum of floor space for each of the uses proposed and this is set out in para 4.1. As each building attains an approval this 'running total' can be monitored to ensure that the total quantum is not exceeded and therefore the overall principles of the Transport Statement, to which it is related, are not compromised. In this case, where the quantum of floor space is being reduced from that originally envisaged as part of the outline, it means that the upper limit is less likely to be reached which is a positive factor when considering the impact on the local highway network.

10.2 The building's footprint has a slight adjustment to that of the original outline however this can be accommodated without any detriment to the neighbouring development sites.

10.3 The outline approval sets as one of its objectives that the height of the buildings along Whitehall Rd should be consistent. It is a fact that the previous desire to build taller, whilst acceptable, is unlikely to be realised. It is considered that the revised 7 storey height now proposed is equally as justifiable as the maximum 11 storeys originally permitted, in terms of the creation of a new street environment on Whitehall Rd. The important aspect of the outline approval is the consistency in the height along this frontage. The extant reserved matters approvals, being 4 storeys taller than this proposal, clearly contradict that objective. The applicant has therefore agreed to enter into a legal agreement, not to construct the extant approvals and to submit new reserved matters applications within 3 years of the date of the signing of the agreement. This would allow them time to submit fresh reserved matters applications in accordance with the newly established Whitehall Rd building height and to continue the character of the buildings which are under consideration as part of this current application. This is considered to be a positive outcome and demonstrates the applicant's commitment to construct not just a high quality scheme but one which will contribute to a sense of place in this part of the city centre.

10.4 Scale

The proposal for a hotel on the opposite side of Whitehall Rd to the south is also of a similar scale being 9 storeys in height and the taller West Central Residential building to the east is part of a higher density scheme which is expected as one approaches the city centre. Therefore it is considered that as a group of buildings these will all sit well together around the Whitehall Rd/Northern St junction.

10.5 Away from the Whitehall Rd frontage, the sloping roof line back down into the centre of the development continues the architectural language of the remainder of the Wellington Place scheme and reduces the scale of the development as it approaches the central space area around the lifting tower. The two buildings

therefore work well as a pair as the slope spans the gap between them which ties them together as a pair. This relationship is considered to be acceptable.

10.6 Design

The layering of the elevations and the order this creates is successfully handled and the fact that high quality materials are to be used will ensure that the appropriate character will result. The way in which the buildings present their unified frontages to Whitehall Rd and then change subtly as they move in to the scheme and address the pedestrian routes and the open space is considered to be particularly successful and is fully supported.

10.7 The use of a similar corner treatment on the prominent Whitehall Rd/Northern St junction as is used on the corresponding Wellington St junction to the north is a method which is successful on this type of irregular footprint building and will help to tie both ends of the Northern St frontage together. This is considered to be an innovative elevational approach to the challenge offered by the approved irregular footprints and helps to achieve the change in character towards the new angular street pattern of Wellington Place itself.

10.8 The roofscape will be clean and unfettered and the inclusion of an area of open terrace will add an element of life, visual interest and natural habitat to the building.

10.9 Pedestrian and Vehicular Access

The provision of a basement parking area is in line with the outline approval and the number of spaces, being less than the level indicated in the outline consent, is to be welcomed. The method of access to the car park is taken at the point approved in the outline and is the only place on Whitehall Rd where this could occur in order to avoid other junctions, traffic lights and pedestrian crossings and be accommodated into the front elevation of the building. The positive effect of this is that the whole of the internal environment of Wellington Place can remain vehicle free and therefore pedestrian dominated.

10.10 The whole of the Wellington Place site is covered by a Travel Plan Framework document approved as part of the outline planning permission. This requires that, when the tenancy of individual buildings is known, a Travel Plan specific to that occupier and in line with the framework document is required to be submitted for approval. This will sit alongside all of the other measures being introduced including: provision for car club facilities; new bus stops; real time bus displays; cycle parking to building basements and at surface level; pedestrian crossing facilities and new pavement surfaces on the public footways of the surrounding highway network.

10.11 Open Space Area

The new public realm areas offer a significant contribution to publicly accessible open space in the city centre and, when linked to the other spaces within the scheme, will contribute to providing a real sense of place which is both of high quality and pedestrian oriented.

10.12 The materials which are proposed to be used are natural and durable and will complement the use of natural materials on the building itself. The introduction of large areas of grass with significant tree planting is considered to be acceptable and will allow the important historical aspects, such as the lifting tower, to be clearly seen acting as the focal point to the space. The use of a low level bollard illumination source will provide visual interest and an adequate level of lighting.

10.13 Sustainability

The achievement of a BREEAM 'excellent' rating is very much welcomed by officers and this simply continues the highly sustainable level of development which the applicant is intending to roll out across the whole of this site. The inclusion of roof terraces will also provide additional habitat at high level and this, along with the new tree planting, will contribute to the provision of diverse habitats.

10.14 S106 Obligations

The commencement of construction in this part of the Wellington Place site will bring a greater pedestrian flow to the Whitehall Rd/Northern St junction. Currently there is no formalized facility to cross this junction east to west. It is clearly a desire of both the applicant and L.C.C. to achieve this objective. However, from work already undertaken by both the applicant and Highways Services, it has become clear that there are a considerable number of statutory undertaker's services beneath the highway which would require diversion in order to enable the new crossing to be constructed. These diversionary works bring with them considerable cost implications. However the applicant is aware that the junction is crucial and has agreed to provide further funding up to £270,000 in addition to the £400,000 already committed to Transport Contributions. This would require a Deed of Variation to the existing legal agreement.

11.0 **CONCLUSION**

11.1 These buildings successfully address the street frontages whilst also fitting in to the Wellington Place character. The scale and design of the buildings are appropriate to their settings and the open space will provide a significant contribution to the provision of publicly accessible open space in the city centre. Officers consider that these will be high quality buildings and will create an appropriate entrance point to the series of interlinked spaces which will flow through the scheme. It conforms to the objectives of the approved masterplan and will act to provide further impetus for the redevelopment of this part of the city centre.

Background Papers:

Original Outline Planning Permission: 06/06824/OT.

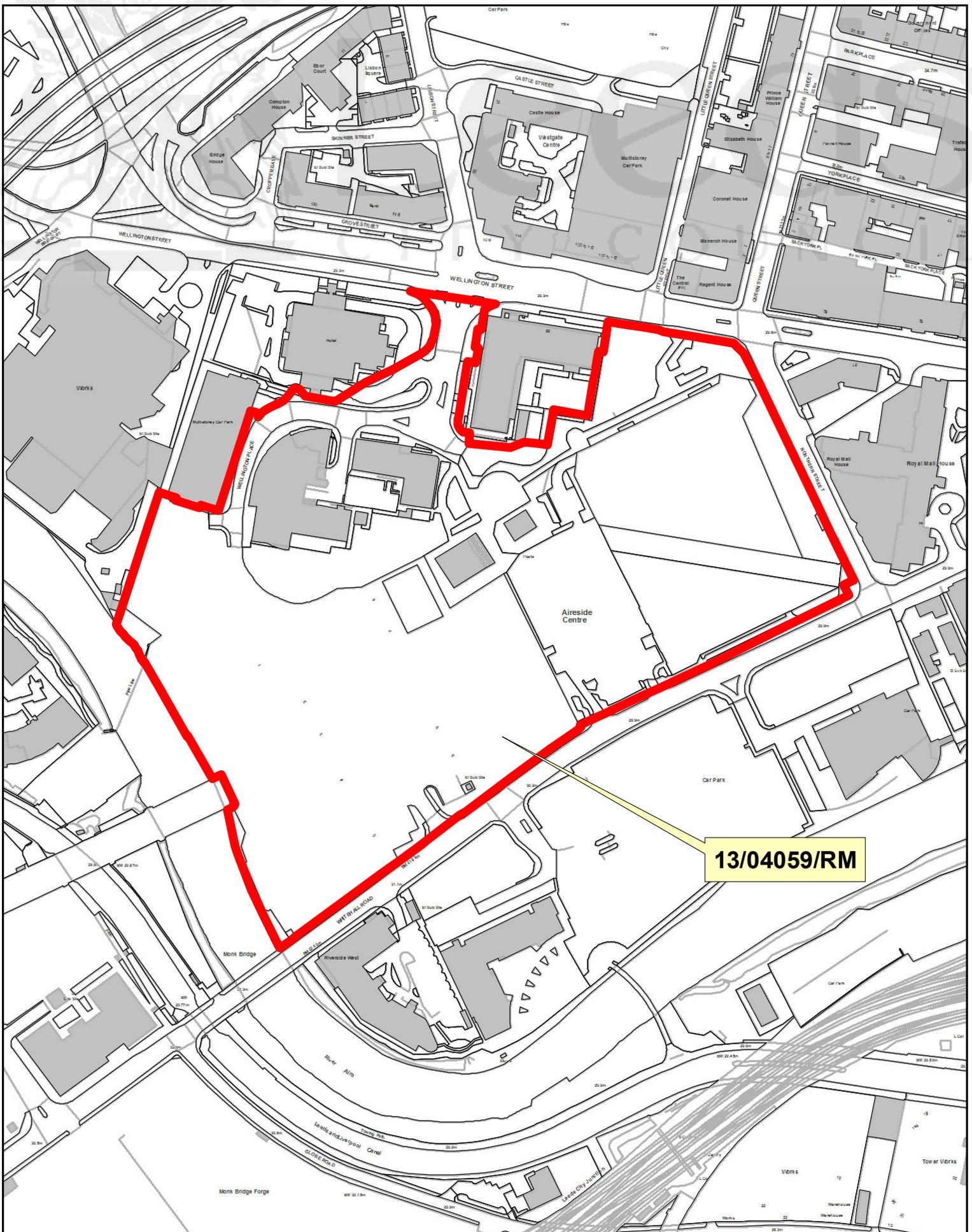
Reserved Matters Application Building 3: 08/ 01695/RM/C

Reserved Matters Application Building 6B: 08/04314/RM

Reserved Matters Application Building 10: 10/02973/RM

Reserved Matters Application Building 3: 10/02974/RM

Planning Permission for Hotel at Whitehall Riverside: 13/01872/FU



13/04059/RM

CITY PLANS PANEL

