



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 21st November 2013

Subject: APPLICATION 13/03647/OT – OUTLINE APPLICATION TO ERECT MIXED USE DEVELOPMENT WITH HOTEL, RESIDENTIAL, A2/A3/A4/A5/B1/D1 USES AND CAR PARKING AT GLOBE ROAD AND WATER LANE, LEEDS, LS11

APPLICANT

West Register
Investments Ltd

Property

DATE VALID

15/08/13

TARGET DATE

w/c 25/11/13 (PPA)

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement to cover the following:

- Affordable Housing to be provided at a ratio of 5% split as 60% submarket and 40% social housing or provided in line with relevant policy at the time of construction if not commenced within 2 years
- A developer contribution to be spent on associated public realm works in conjunction with the Holbeck Urban Village Framework – anticipated to be between £1,686,700 to £2,106,700 (dependant on mix / type of uses); this includes deduction of funds to provide surfacing / landscaping improvements to the tow path adjacent to the site at the northern boundary
- Travel Plan measures and monitoring fee of £4,940
- A Public Transport Contribution of £250,169
- Bus stop facility provided along Globe Road or Water Lane at £26,000
- £30,000 contribution to Car Club and provision of two dedicated (Car Club) parking spaces within the development
- Local employment and training clause

- **Public access maintained and improved through the site including the linkage of Water Lane, Globe Road and the southern footpath of Leeds-Liverpool canal**
- **Provision and costs of a Traffic Regulation Order**
- **Reasonable endeavours undertaken to link plot 1 to the high level viaduct walkway should this be developed**
- **Education contribution (if 3-bed+ flats incorporated into design)**

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

Conditions:

1. Submission of reserved matters.
2. Notification of date of commencement.
3. Plans to be approved.
4. All conditions to apply to each phase of development.
5. Reserved matters to be in accordance with the principles contained within the approved design statement and design code.
6. Samples of surfacing materials to be submitted.
7. Sample panel of all external materials to be approved.
8. Boundary treatments to be approved.
9. Details submitted of crossing bridge arrangements over Hol Beck - to include structural integrity details, repair works, future maintenance arrangements, design drawings, level information and compliance relating the watercourse improvements undertaken through the Leeds Flood Alleviation Scheme
10. Full details of hard/soft landscaping to be submitted.
11. Implementation of landscaping.
12. Archaeological evaluation of the site.
13. Details of car parking provision in relation to each phase to comply with adopted standards at the time of implementation including provision of disabled parking provision details and electric charging points.
14. Details of cycle and motor cycle parking facilities and access to them to be provided.
15. Details of off-site highway works (provision of lay-bys, alterations to the footpath, provision of pedestrian crossings with reference made to Flood Alleviation Scheme).
16. Prevention of mud/grit/dust nuisance during construction works
17. Specified delivery hours (7am to 9am and 6pm to 8pm only).
18. Provision of satisfactory visibility splays at the vehicle access points.
19. Details of construction management measures (including the relationship of the development to Network Rail and their infrastructure / safe operation of the railway), contractor's cabins and parking, location of site hoardings to protect passing pedestrians, contractor's vehicle routes to and from the site and location of construction access.
20. Details of contaminated land site investigation work and full remedial measures.
21. Details of external vents, flue pipes etc.
22. All plant to be located within the new buildings.
23. Provision for storage and collection of litter and servicing arrangements. All bin storage to be provided within the new buildings.
24. Noise attenuation measures for future occupiers (including window design) and to prevent disturbance to the area during the construction works.
25. Times of day during which construction can take place (7am to 6pm Mon-Fri, 9am to 1pm Saturday, not on Sundays or Bank Holidays).
26. Provision of external lighting scheme to Hol Beck, public spaces and buildings.
27. Submission of drainage details.
28. Separate system of drainage for foul and surface water.

29. Provision of Flood Risk mitigation measures in accordance with the approved Flood Risk Assessment.
30. No change of use from A2, A3, A4 and A5 uses to A1 by permitted development.
31. Details of safety and security measures for the site including the basement car park and access to buildings to Secured by Design standards.
32. Provision of a Sustainability report for each phase of development seeking 'Excellent' BREEAM rating (non-residential) and design to Codes 4 to 6 in reference to the Code for Sustainable Homes (dependent on commencement dates).
33. Submission of biodiversity / enhancement management plan.

1.0 INTRODUCTION:

- 1.1 This application relates to land in the Holbeck Urban Village which currently benefits from Outline planning permission for mixed use development originally granted consent in 2006 and then extended in 2010 but which is now due to expire in November 2013. This application for a renewal of the existing consent is brought to Plans Panel given the site's continued importance and sensitivity within the wider Holbeck Urban Village.

2.0 PROPOSAL:

- 2.1 Outline consent is sought for a mixed use development split across the two parcels of land north and south of Globe Road. Consent is only sought for access, layout and the scale of the buildings with matters of appearance and landscaping reserved for later submission and agreement.
- 2.2 The proposed buildings (see attached plan titled 'PLAN SHOWING PLOTS') have been identified as Plots 1, 2, 4A and 4B on the submitted drawings. Consent is sought for flexible use for the whole of Plot 1 and the ground floor of the other plots to allow the proposals to adapt to changing market conditions and ensure successful delivery of the project.
- 2.3 The ground floor uses are grouped together as "active" uses and represent class A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways), D1 (non-residential institutions) and D2 uses (assembly and leisure). These represent 3,846m² of the total floor space.
- 2.4 Additionally 14,000m² of floor space would provide for office use (class B1(a)) but which could also be utilised by research and development (B1(b)), light industrial (B1(c)) or for hotel provision (class C1).
- 2.5 The scheme would further consist of 263 residential units (indicative number) set across a residential footprint of 24,288m².

Plots 1 and 2

- 2.6 These are sited to the north of Globe Road. A public open space would be provided between the 2 plots, running north / south between the canal and Globe Road. This shaped / angled space would measure about 70m long x 25m at its furthest points. It would be oversailed by plot 2 on the Globe Road frontage at a height of 3 storeys (10.3m). Car parking is to be provided within 2 basement levels (approx. 214 spaces) accessed off Globe Road and adjacent to the viaduct / railway line.
- 2.7 Plot 1 would be a maximum 8 storeys in height with indication that this plot would form a hotel use (class C1) or an office use (class B1) with "active" ground floor uses totaling 3422m². In total this plot would provide 14,082m² of floor space.

- 2.8 Plot 2 would be a maximum 7 storeys (22m) in height with 6,384m² of residential floor space (indicatively 69 units) set above 783m² of ground floor “active” uses.
- 2.9 The heights to both plots 1 and 2 drop down from 8 / 7 stories at the viaduct / Globe Road frontage to 7 / 5 stories high respectively adjacent to the canal.

Plots 4A and 4B

- 2.10 The plots are sited to the south of Globe Road and involve the demolition of an existing 2 storey brick building on the western half of the site. An area of public open space is to be provided between the buildings, again on a north/south axis to align with Marshall Street to the south and the proposed open space to the north on plots 1 and 2 giving pedestrian connection between all plots. This would measure 60m long x 12m wide.
- 2.11 At ground level a walkway (‘Beck Walkway’) would be provided to the north side of Hol Beck linking around the east side of plot 4B and on towards the Tower Works site also forming an area of open space (called ‘Giotto Walk’), adjacent to future plot 5. It would measure approximately 30m long x 15m wide at its furthest points.
- 2.12 This pedestrian link also aims to provide framed views of the Italianate towers on the Towers Works site to the north. New bridge links are shown proposed over Hol Beck to/from Water Lane connecting into these public areas; these have been designed with appreciation taken of the Leeds Flood Alleviation Scheme (applications 13/03191/FU and 13/03192/LI). Basement car parking is proposed (around 197 spaces) with access off Globe Road. Communal roof gardens for the use of the residents are proposed above ground floor level for both plots.
- 2.13 Plot 4A would be 8 storeys high with nearly 6,863m² of residential use (indicatively 75 flats) above 1,437m² of “active” ground floor uses.
- 2.14 Plot 4B would be 7 storeys high with 10,920m² of residential use (indicatively 120 flats) above 2,428m² of ground floor “active” uses.

Plot 5 (not proposed as part of this application)

- 2.15 The plans submitted also refer to ‘plot 5’ (also in the applicant’s ownership and which can be seen in the attached drawing ‘PLAN SHOWING PLOTS’) which forms the eastern triangular wedge bounded by Globe Road and Water Lane. For information, this plot of land in part has an unimplemented full planning permission for a 5-storey 78-bed hotel (consent due to expire in November 2013).
- 2.16 The proposals have been supported by the following documents, some of which is unchanged in content and relevance from the 2006 consent:

- Planning Statement;
- Design Statement;
- Design Code;
- Transport Assessment;
- Travel Plans;
- Contaminated Land Desk Top Study;
- Flood Risk Assessment;
- Noise Impact Assessment;
- Wind Study;
- Air Quality Assessment;
- Statement of Community Involvement.

3.0 SITE AND SURROUNDINGS:

- 3.1 This site is split into two parts – accessed from and set to the north and south of Globe Road.
- 3.2 The northern part at 0.4Ha (subject of proposed ‘plots 1 and 2’) consists of open surface car parking and is surrounded by the railway viaduct / line curving around the north-western boundary of the site and buildings at the ‘Tower Works’ site to the eastern side. To the north the site adjoins the Canal and towpath and to the south is Globe Road. The site also includes Hol Beck within its southern boundary which is an approximately 3m deep drainage channel at this point.
- 3.3 Immediately to the north-east of the site is a 4-storey Victorian former iron foundry building which is grade II listed and currently / last used as offices.
- 3.4 The southern part is 0.6Ha in size (subject of proposed ‘plots 4A and 4B’) and is made up of a two storey former industrial premises known as ‘Globe Works’ (circa 20th century) which is used for covered and adjacent open surface car parking.
- 3.5 The surrounding context of the area can be summarised as being former industrial / commercial in character which is emerging as a mixed use area known as ‘Holbeck Urban Village’ (HUV). Part of the site (broadly where plot 2 and plot 4B are proposed) and some of the general area itself is within the Holbeck Conservation Area.
- 3.7 Tower Works to the east of plot 2 has consent for a mixed use development containing both historic buildings and newer elements; it includes the retained three historic towers – Giotto Tower, Verona Tower (both grade II* listed) and Little Tower (grade II listed) as well as no 6 – 8 Globe Road and the Engine House (grade II listed). The site is now presently occupied by mainly office uses within the refurbished and new build premises fronting Globe Road but the phased consented scheme allows for future residential, retail, café, drinking and community facilities within the heart of the site.
- 3.8 To the immediate west of plots 4A and 4B is an additional open surface car park which is also owned by the applicant.
- 3.9 To the north of plots 1 and 2, the Leeds-Liverpool canal offers towpath accessibility which links to Granary Wharf and onto the Dark Arches / City Station, shortly where the Southern Entrance is to be built.
- 3.10 To the east of plot 4B a smaller triangular site (shown marked as plot 5) is also used currently for parking and again is the ownership of the applicants.
- 3.11 To the south of plot 4A lies Marshall’s Court (grade II* listed), Marshall Street and further open surface car parking (the latter again part of the applicant’s ownership and shown marked as ‘plot 7’). Furthermore, to the south of plot 4B lies the Round Foundry (grade II listed) providing a mix of converted historic buildings now used for residential / office / retail uses, function rooms and by a Public House.
- 3.12 The predominant character throughout the area is of brick mill, warehouse and other buildings and a few sites cleared of their former developments and left open surfaced.

3.13 The site is located is located in flood zone 3.

4.0 RELEVANT PLANNING HISTORY:

4.1 20/245/05/OT Outline application to erect mixed use development with hotel residential A2/A3/A4/A5/B1/D1 uses and car parking Approved – 28.12.06

09/05209/EXT Extension of time for outline application to erect mixed use development with hotel residential A2/A3/A4/A5/B1/D1 uses and car parking Approved – 29.11.10

5.0 HISTORY OF NEGOTIATIONS:

5.1 The scheme hereby submitted is based upon the same scheme that received approval in 2006 following presentation to Members at City Plans Panel in March that year. This scheme was not implemented and an extension of time application was made in 2009, which was approved and remains extant until November 2013.

5.2 Prior to submission of this latest application a pre-application enquiry was undertaken in July 2013 which focused on updating supporting documents to reflect changes in planning policy since the previous approval.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application has been advertised by site notices and newspaper advertisement (Yorkshire Evening Post). The application details were also sent on to Ward Members.

7.0 CONSULTATION RESPONSES:

Statutory

7.1 Canal & Rivers Trust – Recognises that the scheme intends to provide a link to use Canal footpath, although latter not included in the application site; this section of walkway is not considered currently adequate for the increase in pedestrian activity.

7.2 Coal Authority – No objections.

7.3 Environment Agency – No objections (subject to conditions).

7.4 Highways Agency – No objections.

7.5 Network Rail – No objections (subject to conditions).

7.6 Yorkshire Water – No objections subject to conditions (including the protection of sewers recorded to cross / adjacent to the site).

Non-Statutory

Access Officer – Detailed design drawings need to show how development is accessible to all in respect of building entrances, lobbies, doors, rooms and lifetime homes.

Children's Services – Contribution would be sought for primary / secondary provision but only for any 'family dwellings' incorporated into the scheme e.g. 3-bed+ flats or 2-bed+ houses.

Civic Trust – No comments received.

Contaminated Land Team – No objections (subject to conditions).

Environmental Policy (Sustainable Design / Construction) – No comments received.

Flood Risk Management – No objections (subject to conditions).

Highways –

- Site now affected by Flood Alleviation Scheme.
- Off-site highway works would need to include build outs on Water Lane to allow for footbridge landing points. Off-site highway works including crossing points over Globe Road should be cross-referenced to the Section 106 Agreement. Regard to be given to those with mobility issues / disability.
- Funds provided as part of HUV contribution should part fund cycle lane provisions along Water Lane, if such a scheme is still implemented.
- Transport Assessment adequately demonstrates that the development would have no further impact on the highway network.

Licensing - Noise attenuation measures should be considered in the detailed design and incorporated into the build of the development in order to protect occupants of this and nearby developments from noise nuisance. There are existing licensed premises in the locality.

Local Plans – Flood Risk Assessment Sequential Approach accepted in view of regeneration arguments (Urban Village) and Hotel presence relative to City Station. Hotel element of the scheme is supported under UDPR policy LT7. Scheme also accords with policy advice set out in UDPR (policies H03, H3) and HUVRPF and Core Strategy (policy CC2).

METRO – No objections to development of this sustainable site; in order to enhance connections by bus users, a bus stop contribution (£26,000) is required.

NGT / Public Transport – Contribution required as calculated at £250,169

Neighbourhoods & Housing (Air Quality) – No objections raised in regards to Air Quality. Provision of electrical charging points to each residential car parking space and to 10% of commercial parking space recommended.

Neighbourhoods & Housing (Affordable Housing) – Site is liable to 5% affordable housing split at 60/40 submarket/social housing which based upon 263 units will form a requirement for 13 units split as 8 submarket and 5 social rent, the mix of which to be agreed with the Housing Investment Team (through the Section 106 Agreement).

Neighbourhoods & Housing (Noise Protection) – No objections subject to conditions. Potential for noise sensitive developments to be affected by sound from surrounding industrial/commercial premises. Alternative means of ventilation will be required at detailed design stage in line with 2013 Noise Report findings (to ensure windows can remain closed during warm weather where noise is experienced).

Neighbourhoods & Housing (Transport Noise) – No objections subject to glazing specification to be agreed with different thickness in glass specification (preferred means of attenuation).

Sustainability (Conservation Officer) – No objections raised.

Sustainability (Design Officer) – Application should take account of Flood Alleviation Scheme to maximize attractiveness to pedestrians to the links between Globe Road / Water Lane and the canal.

Sustainability (Landscape Officer) – Landscaping should be considered along Globe Road frontage (as per previous temporary car park schemes). Need to avoid over-shading by building and consider wind environment for comfortable use of public spaces. Underground tree design needs to be appropriate for long term growth.

Sustainability (Nature Conservation Officer) – Biodiversity should be designed into the channel enhancements at Hol Beck fronting the site (this could include planting, bat roosting and bird nesting opportunities).

Transport Policy (Travelwise) – Travel Plan to be appended to Section 106 Agreement. Monitoring fee calculated at £4,940. Agreement should refer to 2 car club spaces and £30,000 contribution to this scheme.

West Yorkshire Archaeological Service – No objections subject to recording / investigation condition recommended. Site may contain some important underground archaeological elements surviving from early West Yorkshire integrated textile industry associated with John Marshall works.

West Yorkshire Police Architectural Liaison Officer – Recommendation that at detailed design stage, principles of Crime Prevention through Environmental Design (CPTED) and Secured by Design measures shall be incorporated. Natural Surveillance should be maximised by positioning of facing habitable windows and avoidance of blank featureless facades. Mix of uses throughout the day encouraged to ensure activity across the development.

Wind Consultant – No comments yet received (study being currently assessed), comments to be updated verbally at Panel.

8.0 PLANNING POLICIES:

National Planning Policy Framework (2012)

8.1 This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

Para 14: Presumption in favour of sustainable development.

Para 23: recognise that town (city) centres as providing for a mix of uses which are competitive and promote vitality and viability.

Para 137: LPAs should look for opportunities within new development set in Conservation Areas and within setting of heritage assets to enhance or better reveal their significance.

Development Plan

8.2 The Development Plan consists of the adopted Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste DPD (2012).

8.3 The site is located within Proposal Area Statement no 31A – the Holbeck Urban Village Strategic Housing and Mixed Use Site, where the aims of the policy is to re-

generate the area as a physically, socially and economically sustainable community utilising appropriate new uses amongst existing ones. Under policy H3-1A.44 the land is allocated as a strategic housing and mixed use site.

GP5: Requirement of Development Proposals: seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

N12: Priorities for Urban Design: development proposal should respect the Council's priorities for Urban Design.

N13: Design and New Buildings: the design of new buildings should be of high quality and have regard to local character. Good contemporary design appropriate to its setting will be welcomed.

N17: Listed Buildings Character and Appearance: Detailing and all features which contribute to the character of the listed building should be preserved, repaired or if missing replaced and the original plan form preserved where it contributes to the special character.

N19: Conservation Areas, New Buildings: outlines that new buildings, extensions etc within or adjacent to Conservation Areas should preserve or enhance the character of that area.

N51: Nature Conservation and Enhancement: design of new development / landscaping should wherever possible enhance existing wildlife habitats and provide new areas as opportunities arise.

T2: Transport Provision for Development: seeks to ensure developments are not of a detrimental impact upon highway safety.

T5: Pedestrian and Cycle Provision: Safe and secure access for pedestrians and cyclists will be required within highways schemes/new development.

T6: Provision for the Disabled: Provision for disabled people will be required within highways schemes/new development.

T7A: Cycle Parking Guidelines: sets out guidance to the appropriate levels of cycle parking and storage provision in new developments.

T7B: Motorcycle parking: sets out guidance to the appropriate levels of motor cycle parking and storage provision in new developments.

H3: Housing Land Supply and Phasing: sets out that the delivery of housing land release will be controlled in three phases (Holbeck Urban Village is listed to contain 900 units of accommodation during phase 1 (originally intended release 2003-08)

H11: Affordable Housing: the Council will negotiate to provide for housing developments to provide / maintain appropriate proportions of affordable housing.

CC10: Public Space and Level of Provision: operational development covering of more than 0.5Ha should allocate a minimum 20% of the site area as public space.

CC11: Street and Pedestrian Corridors: the Council will assess streets and seek to enhance existing pedestrianised corridors to upgrade this environment generally, respecting historic character and using traditional materials.

CC12: Public Space and Connectivity: outlines that public space in new development must be related to existing pattern of streets, corridors and spaces including river and canal walkways.

CC13: Public Space and Design Criteria: new public spaces must be imaginatively designed, compliment their location and ensure they are attractive / comfortable / safe / accessible.

BD5: Amenity and New Buildings: new buildings should be designed with consideration given to both their amenity and that of their surroundings with reference drawn to usable space, privacy and daylight / sunlight.

Supplementary Planning Guidance - City Centre Urban Design Strategy (2000) – Seeks to reinforce the positive qualities of character areas, re-establish urban grain, provide enclosure to streets, create visual interest, encourage excellent design, improve pedestrian connections, develop a mixture of land uses, promote active frontages and promotes sustainable development.

Supplementary Planning Guidance - Waterfront Strategy (2002) – seeks to enhance the vibrancy and attractiveness of the canal and improve public access to it.

Supplementary Planning Guidance - Holbeck Urban Village Revised Planning Framework (2006) (HUVRPF) - this document sets out the planning and design framework for the regeneration of this special area. Visions include improving connectivity between City Centre and surrounding communities of Beeston Hill and Holbeck, creating new employment, living and leisure opportunities, establishing a new 'creative' quarter focused on new media / digital enterprise, preserve area's unique character and architecture and creating a mixed use, sustainable community with a sense of place.

Supplementary Planning Document – Sustainable Design and Construction (2011) – details technical advice and guidance to developers in meeting BREEAM and Code for Sustainable Homes standards.

Supplementary Planning Document – Public Transport Improvements and Developer Contributions (2008): Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.

Supplementary Planning Document – Travel Plans (2012): sets out the requirements for travel plans and identifies when they are required in support of a planning application.

Local Development Framework – emerging Policy

- 8.4 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 examination which was held during October 2013.
- 8.5 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents

recognising that the weight to be attached may be limited by outstanding representations which have been considered at the examination.

Spatial Policy 1 – Location of Development

Outlines that a spatial development strategy is based on the Leeds settlement hierarchy concentrate which seeks to concentrate the majority of new development within urban areas. The largest amount of development will be located in the Main Urban Area with Major Settlements delivering significant amounts of development.

Settlements within the hierarchy will guide the identification of land for development, with priority given in the following order:

- a. Previously developed land and buildings within the settlement,
- b. Other suitable infill sites within the relevant settlement,
- c. Key locations identified as sustainable extensions to the relevant settlement.

P10 – Design

This highlights that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and good design according with set principles e.g. size, scale, design, layout, character.

T2 – Accessibility Requirements and New Development

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.

9.0 MAIN ISSUES

1. Principle of Uses.
2. Scale and Siting.
3. Impact on character of Conservation Area and the setting of Listed Buildings.
4. Impact on the waterfront.
5. Pedestrian Permeability.
6. Traffic and Access.
7. Technical Matters (Flood Risk, Access)
8. Section 106 Agreement.

10.0 APPRAISAL

10.1 Principle of Uses

The proposal is for a mixture of residential use, hotel or office use and 'active' commercial uses (e.g. these could be cafes, restaurants, drinking establishments) to the street frontages. Sustainable design and operational techniques will be investigated and a detailed report of the measures will be required at reserved matters stage. This is in accordance with the Council's policies and guidance for the Holbeck Urban Village area - such as that contained in the Revised Planning Framework ('HUV RPF') - which seeks to generate a vibrant mixed use area with high sustainable and architectural design standards.

- 10.2 The proposal is also considered to accord with NPPF guidance – it forms a mixed use vibrant and active development bringing life to this area of the City Centre and is sustainable in location and design. The site would tap into the potential now offered from being set near to the new City Station south entrance (due for completion by 2015).

Scale and Siting

- 10.3 The proposed scale of the buildings still generally complies with the design work that has been previously undertaken as part of the Framework. To this particular site, Area Statement 2 (Tower Works) broadly indicates heights 5 - 7 storeys (north side of Globe Road) and 4 – 6 stories (south side) with a general dip in height west to east. The proposal, like in 2005, shows some 8 storey elements to the site's western edges as set against the railway viaduct and reflects the scale of development that has been granted planning consent on the nearby Tower Works site. It is therefore considered that the scale of development would not unduly dominate the area and reflects the general scale and massing approach identified in the Framework.
- 10.4 The siting of the buildings set on the rear edge of the footpaths seek to recreate the sense of enclosure and continuity of frontage provided by the location of historic buildings set close to footpaths and courtyards. The gaps between the plots allow provision for a series of interlinked public spaces and good pedestrian permeability through the site and wider Urban Village.
- 10.5 The buildings would provide gaps of about 20m to existing and consented buildings on adjoining sites. Within the site the gaps between facing elevations are generally 15 to 20m. The details of the internal layouts and elevational treatments will be controlled at Reserved Matters stage. This provides sufficient comfort that the privacy and amenities of future occupiers and neighbouring uses would be adequately protected.
- 10.6 The proposals have been updated in light of the pending application submitted for works to develop the Leeds Flood Alleviation Scheme – some of which is located within the application site along Hol Beck. The new bridges and routes shown across the Beck align with the Public Realm works, namely between plots 4A and 4B, linking south to Marshall Street and between plot 4B and plot 5 via 'Giotto Walk'. These connections respectively link up to the public square between plots 1 and 2 and the Giotto Tower on the Tower Works site to create good permeability and pedestrian routes between the various sites in this part of the Urban Village.

Impact on the character of the conservation area and the setting of Listed buildings

- 10.7 The special character of this area derives largely from its listed buildings and surrounding industrial heritage, especially the Italianate towers on Tower Works.

In addition to recreating the traditional sense of enclosure to the streets as described above the proposed buildings would also preserve important views of the Italianate towers from the south by creating framed views through the proposed 'Giotto Walk' and from the west adjacent to the viaduct. The scale of the proposed buildings would also respect the scale of both built and approved future development on the Tower Works site (ref 08/01544/FU) and on the historic Round Foundry site to the south. It ensures that the 3 listed towers remain dominant when viewed from the east and west along Globe Road.

- 10.8 The scale of plot 2 is stepped down and is set back from the canal towpath which would ensure that the setting and prominence of the Globe Iron Foundry listed building to the north-east corner of the site is preserved - especially when viewed from the north across the railway.
- 10.8 The listed bridge which sits across Hol Beck has been assessed in the current application given the ongoing emerging designs being developed for the Flood Alleviation Scheme. The exact finished technical and detailed engineered design of this existing crossing is being progressed through the FAS drawings. However initial

plan drawings have shown that the listed bridge can be retained in its approximate position (moved east by only 15m to align with Marshall Street) and would be elevated by around 0.5m with ramps provided either side (so to allow accessibility by all).

- 10.9 The existing sites used for both open car parking and parking within a utilitarian building are considered to detract from the character and amenities of the area. The proposals would help repair the urban fabric and introduce life and activity to help regenerate the Holbeck Urban Village area.
- 10.10 The 2005 design code re-submitted with this application supports provision of good contemporary architecture whilst making use of traditional materials (such as red brick or sandstone) to reinforce the historic character of the area – this aligns with the key principles set out in the Framework. The full details will be controlled by planning condition.
- 10.11 It is therefore considered that the proposals would preserve and enhance the special character of the area and the setting of nearby listed buildings.

4. Impact on the Waterfront

- 10.12 Plots 1 and 2 are designed to preserve and enhance the amenities along the canal. The curve of plot 1 and its pointed finish to the canal towpath will help to create visual interest whilst its positioning against the railway viaduct and the setback of plot 2 would ensure that they do not dominate the waterfront.
- 10.13 The design code supports the enhancement of the canal towpath and its connection to the public space within plot 1, subject to agreement with Canals & Rivers Trust. The applicant will be required by the Section 106 legal agreement to contribute to the surfacing and landscaping improvements of the tow path by deduction of funds taken from the Holbeck Urban Village Public Realm developer contributions reflecting the approach taken on the adjacent Tower Works scheme. This is considered important given the design and layout of the public space between plots 1 and 2 and the need to enter the public realm in relation to pedestrian connections from the new South entrance to the City Station.
- 10.14 The proposals would also enhance the appearance of the Hol Beck through the Public Realm works shown around plots 4A and 4B. The detailed works will be controlled by planning condition and this will give opportunity to introduce nature conservation improvements. It is therefore considered that the proposals would comply with the Council's Waterfront Strategy and the Urban Village Framework for Holbeck.

Pedestrian Permeability, Landscaping, Public Spaces

- 10.15 The proposals would considerably enhance pedestrian movements through the site creating attractive and vibrant public spaces within the site – these in turn reflecting the approach to have 'active' uses at ground floor level. The new public routes would connect Globe Road with the canal, continue the route of Marshall Street through the sites and continue the proposed pedestrian route through the Tower Works site across Globe Road and Water Lane. The proposed Beck walkway would improve pedestrian access along Water Lane.
- 10.16 The design code also recognises the opportunity to link plot 1 to the proposed high level viaduct walk to the west. This is an aspiration within the revised Framework for Holbeck and although in 3rd party ownership the applicant is being asked through

the section 106 legal agreement to make reasonable endeavours to achieve this link if works are progressed for the high level walkway.

- 10.17 The space between plots 1 and 2 is shown raised by up to 1.5m above the level of Globe Road to allow provision of undercroft banqueting and conference facilities for the hotel use. It would be linked to the canal towpath and Globe Road by shallow ramps (no steeper than 1:20 gradients). In the event that the leisure functions are not required to support the hotel use then the public space can be provided at grade level. Either option allows for good quality landscaped public space.
- 10.18 The public routes would have high quality surfacing treatment using natural materials and granite to tie in with the surrounding area. They will be enhanced through provision of lighting, soft landscaping and street furniture as appropriate (controlled by condition). It is not considered appropriate to replicate tree planting as which was shown in the separate (temporary) car parking applications given that the public spaces would be provided over basement parking accommodation.
- 10.19 The tow path route from the canal linking within the public space between plots 1 and 2 has been the subject of discussion between the applicant, Canal & Rivers Trust and the LPA. It has been agreed that improvements (surfacing / landscaping) can be included with the section 106 agreement. Whilst this route is not currently adequate to be used for pedestrians it can be upgraded with the cost deducted from the funds of the Holbeck Urban Village Public Realm contribution.
- 10.20 The proposals would deliver the aspirations of the revised Framework for greater pedestrian links north/south through the site, enhancement of connections with the surrounding area and the provision of a high quality public realm / landscaping ensuring an attractive development accessible to all.

6. Traffic and Access

- 10.21 Drafted proposals undertaken by the FAS team have shown how ramped pedestrian access into / out of the site can be achieved without detriment to highway safety along Water Lane. It is not therefore considered that the proposals would have an adverse impact on the highway network. This work has been undertaken further to discussions between the applicant and the FAS team in relation to the proposed location and levels. The indicative ramped access and highway build out into Water Lane would retain a 5.5m wide carriageway width that maintains two way movement on Water Lane. These works would be controlled by condition.
- 10.22 Furthermore, detailed designs in respect of the highway works intended along Globe Road (build outs, crossing points etc) will also be subject of condition, which in turn cross refer to a clause with the Section 106.
- 10.23 The scheme has been designed to minimise car use and to encourage walking and use of public transport. The location of the site close to Leeds City Centre and the Railway Station South entrance is clearly a benefit in this respect. Access for pedestrians and cycles would be facilitated at a number of points to all site frontages including the tow path and routes from west, south and east. All parking would be within an underground car park. The spaces between the buildings would be treated as landscaped areas with pedestrian priority and with segregated / separate servicing areas (which would be conditioned to take place outside of core office hours). The servicing strategy would be subject to more detail and agreement at the reserved matters stage.

- 10.24 Cycle parking for residents and employees would be provided within the basement while short stay spaces will be provided within the public realm. Details of these again would be controlled by planning condition.
- 10.25 The parking provision provided has been set at below maximum UDP standards and is primarily aimed at providing residential car 'storage' and parking for the hotel use. This is aimed at encouraging use of the very good public transport links and reflects the sustainable location of the site. Car club arrangements would be provided to enable residents not to own a car and use a car pool for regular trips for leisure etc. A Green Travel Plan has been submitted and this forms part of the documentation to be approved. Also of note is the inclusion of electrical charging points to residential and commercial car parking spaces as advised through colleagues within the Neighbourhoods & Housing Team. This has been discussed with the agents who are agreeable to the conditioning of these details; exact arrangements are not appropriate at this stage given the Outline nature of the proposal.
- 10.26 A developer contribution to Public Transport / Infrastructure improvements has been calculated at £250,169 and this would form part of the section 106 agreement. A contribution to improvement of bus stop / shelter provision is also to be included within the section 106 agreement. METRO have agreed that a contribution of £26,000 is appropriate to the expected provision of a shelter with real time information either along Globe Road or Water Lane along Whitehall Road (south-east carriageway) should a service be provided or opposite to the new shelter to be provided as part of its adjacent Doncaster Monkbridge development.

7. Technical Matters (e.g. Flood Risk, Access)

- 10.27 A Flood Risk Assessment (FRA) accompanies the application which also contains a sequential assessment / exception test included to outline why this site is considered suitable for the development proposed in this flood zone 3. The Environment Agency and Flood Risk Management colleagues accept the findings of the FRA and this is considered acceptable of the uses on this site.
- 10.28 Following the advice set out at para.102 of the NPPF the sequential assessment and exception test provided are considered to be acceptable and provide sufficient justification of the site location / development. This is given its location in zone 3aii (high probability) of the Leeds Strategic Flood Risk Assessment (which is being used as supporting evidence to the LDF process).
- 10.29 Emphasis here has been placed on the lack of / absence of other sequentially preferable sites in the HUV area such as those within zones 3ai (high probability) or zone 2 (medium probability) in addition to the locational requirements of a Hotel operator to be within close proximity of the station. As part of this evaluation, it is also noted that the residential aspect of the development ('more vulnerable' use as defined through the NPPF) is to be appropriately located at first floor level and above. The proposal is also outlined as having a significant contribution that would be made to the regeneration of the area (Urban Village) and has underlined the long term sustainability of this site / area's wider development in doing so.
- 10.30 Flood Risk Management colleagues have received additional feedback to the further clarification requested around the surface water discharge rates and attenuation storage afforded as calculated by the agents. No objections are raised by this consultee and conditions would be applicable to this.
- 10.31 The Access Officer has raised some points that should be considered in the development to ensure building entrances, lobbies, doors, rooms are designed to

accessible standards where necessary. It is considered that this can be adequately controlled through both condition and the detailed design to be agreed at Reserved Matters stage.

8. Section 106 Agreement

10.32 The applicant has agreed to enter into a legal agreement to cover the following matters:

- Provision of **affordable housing** (5%) provided as 60% submarket and 40% social housing (or provided in line with relevant policy at the time of construction if not commenced within 2 years)
- Provision of a **Public Realm contribution** for the Holbeck Urban Village anticipated being between £1,686,700 to £2,106,700 (dependant on mix / type of uses)
- **Travel Plan** measures and monitoring fee of £4,940
- **Public Transport Contribution** of £250,169
- **Bus stop improvement** contribution of £26,000 (enhanced facilities expected at Globe Road or Water Lane)
- **£30,000 contribution to Car Club** and **provision of two dedicated (Car Club) parking spaces** within the development
- **Local employment and training clause**
- **Public access maintained and improved through the site** including the linkage of Water Lane, Globe Road and the southern footpath of Leeds-Liverpool canal
- Using **reasonable endeavours to link plot 1 to the proposed viaduct walkway**
- Provision and costs of a **Traffic Regulation Order** to control highway usage at Globe Road
- **Education contribution** (if 3-bed+ flats are incorporated into the design)

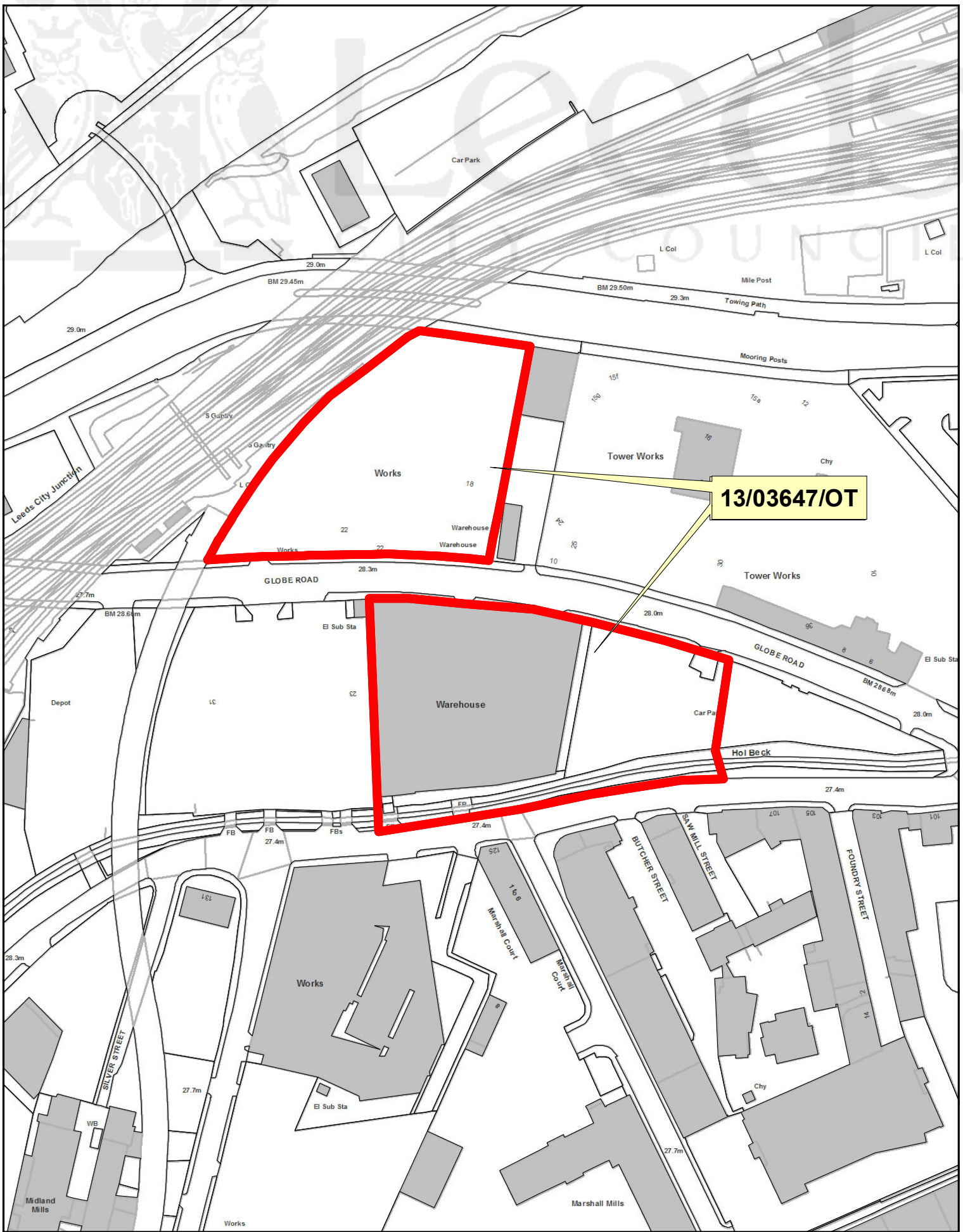
10.33 As part of Central Government's move to streamlining the planning obligation process it has introduced the Community Infrastructure Levy Regulations 2010. This requires that all matters to be resolved by a Section 106 planning obligation have to pass 3 statutory tests. The relevant tests are set out in regulation 122 of the Regulations and are as follows:

'122(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is-

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.'

As listed above (and also in the 'recommendation' box at the beginning of this report), there are matters to be covered by a Section 106 agreement. These matters have been considered against the current tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

Background Papers: 13/03647/OT



CITY PLANS PANEL

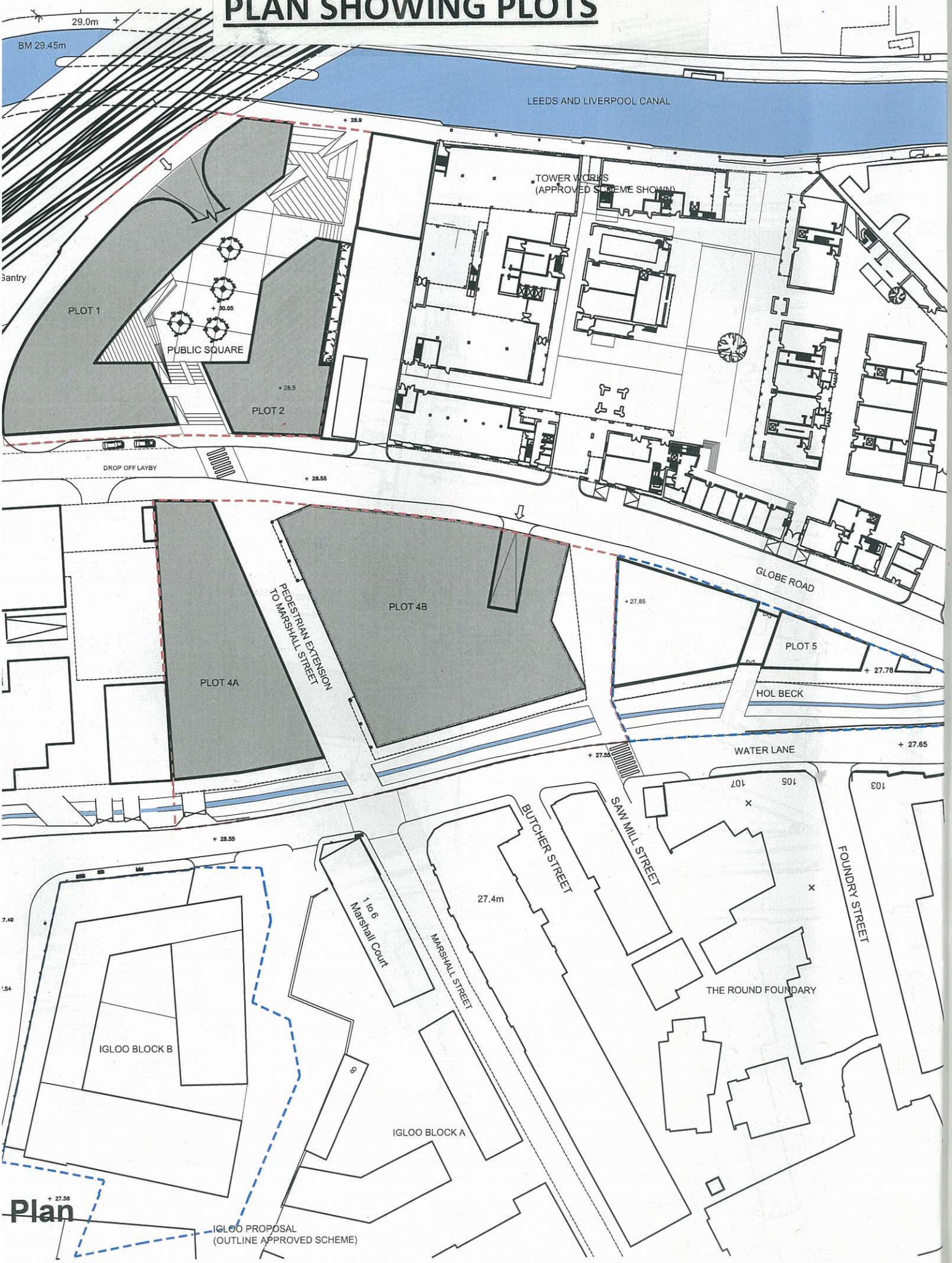
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SCALE : 1/1500



PLAN SHOWING PLOTS



Plan

IGLOO PROPOSAL
(OUTLINE APPROVED SCHEME)