



---

**Report of the Chief Planning Officer**

***CITY PLANS PANEL***

**Date: 13th September 2018**

**Subject: FULL AND LISTED BUILDING APPLICATIONS FOR THE DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A 126 UNIT APART-HOTEL WITH 9 GROUND FLOOR COMMERCIAL UNITS AND ACCESS POINTS TO LEEDS KIRKGATE MARKET - SITE AT GEORGE ST, ADJACENT LEEDS KIRKGATE MARKET APP.'S REF. 18/03164/FU AND 18/03168/LI**

**Applicant: Town Centre Securities PLC**

---

**Electoral Wards Affected:**

**Hunslet and Riverside**

**YES**

Ward Members consulted

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

---

**RECOMMENDATION:**

**18/03164/FU**

**GRANT PLANNING PERMISSION - Subject to the conditions set out in Appendix 1 and any other conditions that the Chief Planning Officer considers necessary.**

**18/03168/LI**

**GRANT LISTED BUILDING CONSENT - Subject to the conditions set out in Appendix 2 and any other conditions that the Chief Planning Officer considers necessary.**

**1.0 INTRODUCTION:**

- 1.1 Now that the Victoria Gate development has been completed on the northern side of George Street, the proposal is to redevelop the southern side, which is currently occupied by 1930's and 1980's shops and office buildings. These are outdated and out of proportion both with the scale of the adjacent Grade I Listed Market building (Leeming House and the former Butcher's Row) and the new Victoria Gate development opposite.

- 1.2 The site is in the ownership of Leeds City Council and therefore officers prepared a development brief which was supported by Members at City Plans Panel in April 2014. This was used for guidance as part of the process to deliver the proposal which was presented to Members at pre-application stage in October 2017. The scheme has been amended as a result of Member comments which are set out in Para 5.1 below.
- 1.3 This report considers the full planning application as well as the parallel application for Listed Building Consent.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The site is 0.14 Ha and is located on the southern side of George Street, adjacent the Grade I listed Leeming House and former Butchers Row and the adjoining modern market hall. It is currently occupied by 1930's single storey rendered, flat roofed, commercial units on its western half and 1980's two storey shops and office buildings to the east. Between these sits an entrance to the modern market hall building. To the east is a further entrance to the modern market hall and an electricity sub-station and toilet block.
- 2.2 To the north, on the opposite side of George Street, is the new Victoria Gate development and John Lewis. The western end of the site is within the City Centre Conservation Area.

## **3.0 PROPOSAL**

- 3.1 The proposal is for a single building which sits at the back edge of footpath. The upper floors of the building are proposed to be used as an apart-hotel which would be accessed via a centrally located entrance way. This would contain 126 no. separate units of accommodation with 96 studios, 26no. one bedroom and 4no. two bedroom units. The ground floor is to contain 875 sqm of commercial floor space which can be used flexibly to deliver various unit sizes, although the plans indicate a 9 unit subdivision. The proposal is for a range of commercial uses - retailing (A1), café/restaurant (A3), bar (A4) and take-away (A5).
- 3.2 The elevations are primarily of brick, however, given the total length is approximately 120m the building is punctuated at the approximate halfway point by a recessed glazed slot and set back in the roof form in order to reduce the perceived length by splitting it into two wings. This also marks the location of the replacement entrance to the northern side of the market hall and contains a double storey height glass void, similar in format to the existing Leeming House market entrances. The brick elevation terminates 5m from Leeming House where a further 2 storey glass addition makes the transition between the proposal and Leeming House. This allows the stone gable of Leeming house to remain visible as well as retaining a view through to the dome of the market roof beyond.
- 3.3 The elevations to George Street divide the building into a definite base, middle and top, with the base consisting of a double height arch, which references the height of the base of Leeming House, the middle being 3 storeys of brick with paired windows set into reveals and decorative brickwork pattern, and the top being a zinc clad mansard with feature dormer windows having curved tops to relate to the detail of the roof on the adjacent Leeming House. These dormers are paired to relate to the windows below to provide consistency to the elevation.

- 3.4 At pre-application stage Members requested that the window reveals be the subject of further design development. The applicant has responded to this by introducing a bronze anodized inset frame which emphasises the extent of the reveal and breaks up the brick façade, especially when viewed obliquely. In addition the building steps down the hill, emphasised by the ground floor unit configuration and the eaves line, which is stepped once within each wing.
- 3.5 The end elevations create the stops to the roof form and continue the banded detailing of the front elevation around the corner. The eastern elevation, which is visible over a greater distance, also contains windows.
- 3.6 The southern elevation, which faces out over the market roof, is of a much simpler design and is also of brick, with regular window pattern, standing seam zinc slots and louvre detailing.
- 3.7 A number of the ground floor commercial units would have the ability to be accessed from both George Street and the former Butchers Row, which offers the opportunity to access the market from multiple points along George St. This also retains the commercial unit frontages along the northern side of Butcher's Row, a number of which would be able to be accessed at-grade, an improvement over the current situation. The requirement to provide a fire exit at one point along Butchers Row results in the inability to provide a commercial frontage. At this point the elevation has a dummy retail frontage which can be used to advertise market events & produce and house art installations. The apart-hotel also has a frontage directly into the market from this elevation which will help to drive increased footfall and provide further life and activity.
- 3.8 In response to comments by Members at pre-application stage, this elevation is now proposed to be in white brick. This will reflect light into the market through the retained existing wooden roof structure which is to be refurbished. .
- 3.9 The upper floors incorporate both plant areas and vertical risers within the envelope of the building which means that there are no requirements for flues or air-conditioning units servicing the ground floor commercial units and apart-hotel, to be located on the outside of the building. The apart-hotel units will be artificially ventilated as well as able to open windows which will assist in occupier amenity in this city centre location. Refuse storage areas are also included within the ground floor footprint and accessed from discreetly located doorways.
- 3.10 At the eastern end of the site cycle storage is proposed to be contained behind the commercial frontages and so would not impact significantly on the elevational treatment. The market entrance is marked by a high-level 'Leeds Market' signage arch. This is designed to swing open to allow vehicles to access the area in order to service the adjacent electricity sub-station but also give this market entrance a presence on the street frontage, from which it is recessed.
- 3.11 Servicing and drop-offs would all occur from George St which has been reconfigured as part of the recently completed Victoria Gate scheme. This proposal would also bring forward the final treatment of the footway to match the Victoria Gate treatment, as tarmac has been used temporarily in advance of the construction works for this application site.
- 3.12 A Travel Plan has been submitted with this proposal which sets out the objectives and targets for the use of sustainable travel modes to access this site. The fact that the site has no car parking and is located in the city centre close to the bus and

coach station will help to achieve the objectives of the Plan. The payment of the Travel Plan Review Fee of £2,630 is recorded in the Travel Plan.

- 3.13 Beneath the current building are located a set of former public conveniences for the former markets building. These have fallen into disrepair after being vandalized 5 years ago and no longer form a usable facility. It is proposed that these be recorded, removed from the site and then filled in, in order to allow the building to be built above.

#### **4.0 HISTORY OF NEGOTIATIONS**

- 4.1 Following the pre-application presentation to Members officers engaged with the development team to establish how the comments regarding window reveals could best be addressed. This took place over a single meeting and subsequent iterative submissions until the current solution was established.

#### **5.0 RELEVANT PLANNING HISTORY**

- 5.1 Members received a presentation of the scheme at pre-application stage in October 2017. The relevant minutes state:

In offering comments Members raised the following issues:

- The majority of Members supported the use of glass for the entrance however, one Member was of the view that the use of glass did not enhance the building.
- Could the windows be recessed and could more detailing around the windows be incorporated.
- There was some concern that the new façade may hide the Market building.

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

- Members considered the proposed uses were acceptable
- That with the inclusion of the suggested amendments, the design for the George Street elevation was acceptable.
- The design for the elevation to Butchers Row was acceptable.

In summing up the Chair said Members were supportive of the proposal and welcomed the submission of a formal application.

- 5.2 The approval of the Markets refurbishment, app.'s ref. 14/04516/FU and 14/04517/LI, advocated the use of the former Butcher's Row as an area which could be used outside normal market hours, although at that time the current site was outside the application site boundary.

#### **6.0 PUBLIC/LOCAL RESPONSES**

- 6.1 The applicant carried out a public consultation event in the market building and the Merrion Centre in March 2018. Attendees were shown images, drawings and descriptions of the proposed development and were able to meet with key members of the project team. 56 people actively engaged with the first event, and 52 with the second. 20 written responses were received across both events which mostly

supported the proposal in respect of its design and uses. Some concerns were expressed about the uses complementing the market rather than competing with it.

6.2 Correspondence has been received from Leeds Civic Trust which makes the following points:

- Support these proposals to create a better-scaled frontage to George Street, with a positively designed and richly textured façade which nevertheless still allows the 1904 Market building to be the dominant structure. They commend the design brief which provided the basis for the detailed quality that has grown from it.
- Support the use of light coloured brick to the former Butchers Row elevation
- Support the re-surfacing and width of the footway
- Believe that, as George St carries little traffic, the footway and carriageway should be at the same level but with a defined demarcation between these 2 functions for safety purposes.
- Disappointed that the opportunity to use this scheme as a means of opening up access to the internal balcony of Leeming House has been missed

## 7.0 CONSULTATION RESPONSES

### 7.1 Statutory:

Coal Authority: No objection subject to conditions

Yorkshire Water: No objection subject to conditions

Historic England (HE) (re the Listed Building application): No objection. The HE recognise this is an area that is undergoing change and offers great potential for the sensitive and contextual redevelopment of this proposal site to have a positive impact on the character and appearance of the Conservation Area and the setting of the Grade I listed Kirkgate Market. Overall, there may be some harm resulting from the height of the new building at the western end of the site, closest to the Grade I listed building by obscuring views of the cupola and roof-scape. However, this should be balanced against the justification for the size of this development and the public benefits, as set out in the NPPF.

### 7.2 Non-Statutory:

Highways Services: No objections subject to conditions. The extent of the public highway requires adjustment to regularise the proposed alteration to the building line on the piers being built out involving stopping up and/or dedication of new highway under S247 of the T&CPA as amended. The wide footway will be retained as public highway on construction and repaved in materials to match the surrounding area.

Deliveries will make use of the existing marked loading bays. Drop-offs and pick-ups are available along George Street, including a hackney carriage rank to the east of the site. These are acceptable.

No car parking is proposed which is acceptable in this sustainable location. Should hotel guests be using a car, space is available in the nearby public car parks, including for overnight stays. No motorcycle parking is to be provided with users expected to use nearby provision on-street and within the Victoria multi-storey car park.

An area for cycle parking is indicated on the ground floor showing eight stands to accommodate 16 bicycles which meets adopted parking guidelines for employees/long-stay provision of one space per eight bedrooms. Additional

provision is required for shopper short stay visitor parking which, on agreement, will be positioned within the footway.

Travelwise: No objections – The travel plan is acceptable. Monitoring fee to be paid of £2,630 (included in the Travel Plan)

Sustainability – Conservation: The proposal is a successful contextual intervention, achieving a mediation between the Grade I listed Kirkgate market and Victoria Gate which it does through its massing and formal architecture in respect of the former and its use of materials in respect of the latter. Requires details of the building to be the subject of a condition, particularly the junction with Leeming House.

Sustainability - Contaminated Land: No objections subject to conditions

Sustainability - Nature: No objections

Police Architectural Liaison Officer: Encourage the building to be constructed to Secured by Design Standards

Environmental Studies – Transport: Sufficient distance from main roads for there to be no significant impact from road traffic noise.

Neighbourhood and Housing: Close to the Market which is a noise generating source. No objection subject to conditions and recommend artificial ventilation.

Flood Risk Management: No objections subject to conditions.

WYASAS: Require an architectural recording condition to be placed on any permission granted.

Licensing: these premises fall within the Leeds City Centre Cumulative Impact Area (green zone) where good quality applications will generally be more acceptable.

## **8.0 RELEVANT PLANNING POLICIES**

### **8.1 Development Plan:**

Section 38(6) of the Planning and Compulsory Purchase Act states that, for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise. The Development Plan comprises the Leeds Core Strategy (Nov 14), saved policies of the UDPR (2006); The Natural Resources & Waste Local Plan (NRWLP Jan 13) and any Neighbourhood Plan once adopted.

### **8.2 Leeds' Core Strategy**

Spatial Policy 3 – Leeds City Centre

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, culture and office development.

Policy CC1(g): Town Centre Uses will be supported within the city centre boundary provided the use does not negatively impact on the amenity of neighbouring uses and that the proposal is in line with all other Core Strategy policies

Policy CC1(h): A concentration of shops with ground floor frontages should be maintained in the Prime Shopping Quarter for reasons of vitality. Proposals for non-retail use should not result in the proportion of retail frontage length falling below 80% in primary frontages or below 50% in secondary frontages. Proposals outside the 'A' use classes will not be permitted within designated ground floor frontages.

Policy P10: 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.

Proposals will be supported where they accord with the following key principles;

- (i) The size, scale and layout of the development is appropriate to its location and respects the character and quality of the external spaces and the wider locality
- (ii) The development protects the visual, residential and general amenity of the area including useable space, privacy, noise, air quality and satisfactory penetration of daylight and sunlight
- (iii) The development protects and enhances the district's historic assets, in particular existing natural site features, historically and locally important buildings, skylines and views

Policy P11: Conservation: The historic environment, consisting of archaeological remains, historic buildings townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved. Innovative and sustainable construction which integrates with and enhances the historic environment will be encouraged.

Policy T2: Accessibility Requirements and New Development

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:

### 8.3 Saved Unitary Development Review 2006 Policies

BD2 - the design of new buildings should complement and where possible enhance existing vistas, skylines and landmarks

BD4 - all plant to be contained within the envelop of the building

BD6 - all alterations and extensions to respect the scale, form, detailing and materials of the original

N14 - assumption in favour of retention of listed buildings

N17 - all listed building features to be retained and repaired

N19 - all buildings within or adjacent to a conservation area to enhance character or appearance

N20 - resist removal of features which contribute to the character of a conservation area.

GP5 - Applications to account for all other material considerations.

SF2 – within primary shopping frontages 80% of the frontage is expected to be in retail use

8.4 Site Allocations Plan (SAP)

This site is allocated as a primary shopping frontage in the draft SAP

8.5 Natural Resources and Waste Local Plan

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

8.6 National Planning Policy Framework (NPPF) (Revised July 2018)

The NPPF was revised in July 2018, and the National Planning Practice Guidance (NPPG) set out the national policies for England and how these are expected to be applied. One of the key principles running through the Framework is a presumption in favour of Sustainable Development set out in three parts: Economic, Social and Environmental. The revised NPPF now seeks to tighten definitions on the presumption in favour of sustainable development, increases the emphasis on high-quality design and place-making.

Paragraph 59 of the revised NPPF directs Local Planning Authority's to apply a presumption in favour of sustainable development and that they should approve development proposals that accord with an up-to-date development plan without delay.

The below sections of the Revised NPPF are also considered to be relevant:

Section 9: Promoting Sustainable Transport – developments should give priority first to pedestrian and cycle movements and facilitate access to high quality public transport; address the needs of people with disabilities; create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles; avoid unnecessary street clutter; respond to local character and design standards; allow for the efficient delivery of goods, and access by service and emergency vehicles.

Section 11: Making effective use of land - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land

Para 123 (c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.

Section 12: Achieving Well-designed places

Para 127: Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;



- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### Section 16: Conserving and Enhancing the Historic Environment

189. If a heritage asset is impacted by a development, the heritage asset needs to be accounted for in the determination of the application including any contribution made by their setting.

190. The impact on the setting of the heritage asset needs to be accounted for and any conflict between the proposal and the heritage asset's conservation minimized.

192. The Local Planning Authority should take into account the desirability of new development making a positive contribution to local character and distinctiveness.

193. 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

196. 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.

#### 8.7 Supplementary Planning Guidance/Documents

SPD Building for Tomorrow Today: Sustainable Design and Construction  
City Centre Urban Design Strategy

#### 8.8 Planning (Listed Buildings and Conservation Areas) Act 1990

In determining applications the Local Planning Authority has a statutory duty to comply with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special regard to be given 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.

#### 8.9 George St Development Brief

This was produced as an informal guidance and sets out the planning and urban design objectives for this site. The contents are not prescriptive and contain sketch

elevations and street scene imagery which have been included for guidance only. Background plans and documents are also appended to the document to provide further guidance

## **9.0 ISSUES**

### **9.1 Uses**

The proposed use of the site as an apart-hotel is a city centre use. It would bring a new and changing body of occupiers to this part of the city centre leading to additional pedestrian movement outside normal working hours and a degree of natural surveillance. This is added to the by the inclusion of the ground floor commercial units, which may also be open into the evening. These uses will also help to filter pedestrians into the market, given they have the potential to be used as 'through units' which complies with the requirement of the original brief and the markets refurbishment approved in 2014. A number of the Butchers Row units would also be accessible 'at-grade' which is an improvement over the current situation.

9.2 The proposed apart-hotel means that it is not to be used for residential purposes (Use Class C3). In order to ensure that the units are not used as full time residential accommodation a condition will be used to ensure a maximum length of continuous occupancy of 3 months and a restriction on the period within which an occupier is allowed to return. As a consequence there is no requirement for affordable housing with this proposal.

9.3 The primary frontage shopping policy seeks retention of a minimum 80% of the frontage length to be retained in A1 retail use. As part of the current proposal, 7 of the 9 ground floor commercial units would have frontages onto George St. However, the existing policy pre-dates the development of the Victoria Gate Shopping Centre. In addition, prior to the commencement of the current project, the level of A1 retailing on the George St frontage was approximately 60%, with a newsagent and hair-dresses in the western blocks and school uniform shop and food retailer to the east. The Fisherman's Wife fish restaurant and vacant units occupy all other parts of the frontage.

9.4 It is considered that this proposal represents an opportunity to regenerate this frontage, opposite the new Victoria Gate scheme, and to reconfigure the site on the basis of the apart-hotel and the commercial units, both of which provide the opportunity to access the northern side of the market at multiple points. There is planning merit in promoting a presence of uses which open late into the evening to complement the existing retail offer within Victoria Gate and Kirkgate Market and provide vibrancy into the evening. Given the positive changes which would be brought about by this proposal, on balance, it is considered that the requirement to retain flexibility in the occupiers of these units across the range of 'A' use classes, outweighs the policy requirement to provide 80% of the frontage as A1. Therefore it is considered that a flexible approach to A1 retail content is justified here.

9.5 Members considered the uses proposed were acceptable at pre-application stage and these have not changed. Therefore the uses are considered to be acceptable.

### **9.6 Elevational Treatment**

The George Street elevation has been designed to achieve 3 objectives:

- reflect the topography of the site by stepping down the hill,
- break down the length of the building

- mark the point where the market entrance is to be located with the glazed slot.

It is considered that the building successfully achieve these 3 objectives which were set out in the design brief.

- 9.7 The detail of the brickwork adds relief to the elevation and is considered to be a good neighbour to the more exuberant use of brick on the Victoria Gate building opposite. Members were supportive of the elevational treatment at pre-application stage but made a point about the detailing around the windows. These have been amended by the inclusion of a bronze inset to the window reveal which emphasises the set-back against the brick elevations. When repeated over the façade this provides an additional level of layering and detail which is considered to complement the façade and is an improvement to that presented at pre-application stage. This change is fully supported by officers and is considered to be acceptable.
- 9.8 The double height glazed entrance to the market will provide views through to the market hall beyond, in a similar way that the existing Leeming House entrances do. This also provides a break to the frontage, dividing it into 2 wings, which helps in terms of scale and mass.
- 9.9 The roof form has been developed to relate to the materials used on Leeming House and has dormers which penetrate the roof plane. These dormers have a feature curved top which relates them to the more decorative and ornate detailing on the neighbouring listed building. The dormers have been omitted and the roof set back in the section above the glazed slot. This emphasises the fact that this is to appear as a visual break in the terrace of development and it is considered to achieve this objective successfully.
- 9.10 The end elevations create the stops to the roof form and continue the banded detailing of the front elevation around to provide some relief and visual interest. The eastern elevation, which is visible over a greater distance, also contains windows. This animates the elevation and provides further interest. Therefore, the end elevations are considered to be acceptable in this context.
- 9.11 The southern (rear) elevation would only be visible from a restricted number of ground level locations and from some elevated positions within buildings to the south, which includes Leeming House itself. It is of a simple functional aesthetic which reflects the same principle as the rear elevation of Leeming House. This approach is considered to be acceptable here.
- 9.12 The ground floor of the southern elevation forms the replacement Butcher's Row elevation and most of this is given to commercial unit frontages, which are a replacement for the existing units. In the 2 cases where the apart-hotel's requirements for storage/back-of-house have meant a different treatment, these have been designed to offer the opportunity to display produce, advertising for events or art work. In these circumstances, it is considered that the proposed arrangement strikes the correct balance between the functional requirements of the apart-hotel and the creation of a lively and active frontage.
- 9.13 These units are to be fronted in white brick and this serves to visually lighten the appearance and reflects the existing light coloured render finish. The existing glazed wooden roof structure and stone flooring are to be retained and in this context, this is considered to be acceptable.

- 9.14 The building contains vertical risers which mean that there will be no requirement for externally mounted flues or other excrescences as part of the commercial unit fit-out and occupation. The apartments do not have opening windows but are ventilated via a Mechanical Ventilation and Heat Recovery system. This will assist in ensuring the amenity of occupiers in this busy city centre location.
- 9.15 Impact on Character of neighbouring listed building  
The height of the building is the same as that presented at pre-application stage. The proposal uses the strong horizontal bands of the base, middle and parapet of Leeming House to set its own levels. This is a robust architectural approach and helps to relate the two buildings as neighbours, notwithstanding the fact that the architectural treatments are very different.
- 9.16 A 5m gap has been retained between the flank wall of Leeming House and the 6 storey brick elevation of the proposal to allow the corner and flank of the listed building to be clearly seen from the street, as well as views through to the distant cupola. It is considered that this relationship provides an acceptable balance between the correct scale and massing for the street scene and the preservation of the setting and character of the listed building. Any taller and the proposal would start to dominate its illustrious neighbour, any lower and it would appear too diminutive.
- 9.17 The existing basement toilets, which have been vandalised, will be the subject of an archaeological recording condition. It is not possible to retain these due to the piling necessary for the construction of the building above. If certain features can be salvaged then they will be as part of the demolition phase. In these circumstances, given their condition, the loss of the toilets is considered to be less than substantial harm. The double-story glazed addition enables the existing plaque to be re-positioned within the extension to enable it to be viewed and protected.
- 9.18 In accordance with NPPF policy requirements the less than substantial harm to the listed building needs to be balanced against the public benefits which accrue as a result of the development. In this case the following are considered to represent those benefits:
- The removal of a building which has an adverse impact on the street scene, the conservation area and the adjacent listed building.
  - Its replacement by a building of high architectural quality to the benefit of the local environment and new building stock
  - A more efficient and sustainable use of city centre land
  - Greater employment opportunities through the provision of commercial units as well as a hotel contributing to local economic benefits
  - A new city centre hotel to provide additional bed spaces for leisure and business visitors to contribute to local economic benefits.
  - Contribution to the night-time economy as well as during the day through longer opening hours
  - Potential to provide custom for the adjacent market

- Natural surveillance throughout more hours of the day and night leading to greater sense of security

9.19 For the reasons set out above it is considered that the new proposal will lead to less than substantial harm to the significance of the listed Leeming House and Butchers Row and that this is more than off-set by the considerable public benefits brought to the city by the quality of this new development.

9.20 In respect of the Leeds Civic Trust comment regarding missing the opportunity to use this scheme as a means of opening up access to the internal balcony of Leeming House, this proposal builds up against the flank of Leeming House with a low level light touch glazed extension with no access proposed through this flank wall. The Leeming House balcony is accessed from within the market hall itself and it is considered the idea of accessing it from the current application site is impractical and could not be achieved without significant intervention that would impact negatively on the character of the listed building.

#### 9.21 Highways

Parking is not required for the uses proposed and the site is well served by public transport, being close to the bus and coach stations and less than a kilometre from the railway station.

9.22 The existing highway still performs an important function for servicing both the proposal and the market itself. It is also a through route for vehicles moving from Vicar Lane to the Loop. This length of public highway was remodelled and relevelled as part of the Victoria Gate scheme in the knowledge that a development was to come forward for this application site. The existing dimensions of laybys and TRO's already account for the pattern of likely use and are acceptable. The footway was also widened which offers good pedestrian protection and comfort. Given the above it is not considered suitable for a single surface treatment as suggested by the LCT.

9.23 This proposal with its shop-frontages and intermittent piers will require small sections of the footway to be either stopped up or dedicated as public highway and this will be carried out under the appropriate highways legislation. The footway will be laid in materials to match the high quality Victoria Gate scheme that was rolled out across the whole area and this is clearly acceptable.

9.24 The discreet provision of cycle parking within the building is acceptable and further cycle provision is to be made available on the public highway in locations to be agreed as part of the Grampian condition controlling the off-site highways works. The Travel Plan sets out a range of measures which will ensure that trips by private motor vehicle for this proposal will be kept to an absolute minimum.

#### 9.25 Sustainability

The development will provide an improvement beyond Building Regulations Part L by 20%. A minimum of 10% of the predicted energy needs of the development will be met through low carbon technology. The applicant has stated that the feasibility of decentralised and renewable energy sources will be investigated during detailed design. Following a BREEAM pre-assessment review it has been concluded that an 'Excellent' rating can be achieved.

#### 9.26 Employment Initiatives

The employment of local people during the construction and operational phase of the hotel will be controlled by condition.

## **10.0 CONCLUSION**

- 10.1 George St has seen significant changes in the last couple of years since the completion of Victoria Gate. The northern side is populated with some of the best modern architectural expressions in the city and the southern side now represents an opportunity to finish the street with a building which is also of high quality. The uses proposed will assist in bringing life and vibrancy to this part of the city centre, which would also benefit Kirkgate Market. Members are recommended to support this application and grant Planning Permission and Listed Building Consent.

APPENDIX 1  
CONDITIONS FOR GEORGE STREET  
FULL PLANNING APPLICATION  
18/03164/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) No development, excluding any works of demolition or site clearance, shall take place until full details of the proposed highway works to the footway on the southern side of George St, in materials to match the surface treatment in the wider area, have been submitted to and approved in writing by the Local Planning Authority. All highway works must be completed to the satisfaction of the Local Planning Authority before first opening of the development to the public.

In the interests of amenity and to ensure free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) Policies T2 and GP5

4) No building works, excluding any works of demolition or site clearance, shall take place until details and samples of all external walling and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Prior to the start of building works, excluding any works of demolition or site clearance, samples shall be made available on site for inspection by the Local Planning Authority which shall be notified in writing of their availability. The building works shall be constructed from the materials thereby approved.

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

5) Construction of brickwork shall not take place until a sample panel of the brickwork has been approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the details of the type, bonding and coursing of the bricks and the colour and type of mortar. The brickwork shall be constructed in strict accordance with the sample panel(s), which shall not be demolished prior to completion of the development.

In the interests of visual amenity and to ensure that the brickwork harmonises with the character of the area.

6) No development, excluding any works of demolition or site clearance, shall take place until detailed 1:20 scale working drawings of the following features have been submitted to and approved in writing by the Local Planning Authority:

- (a) sections of external windows and doors including those to the ground floor market elevation;
- (b) glazed curtain walling to the central section of the George St elevation;
- (c) glazed walling to the western end of the George St elevation and its junction with the adjacent Leeming House;
- (d) cross-sections of junctions of materials to eaves;
- (e) details of dormers to include the jointing of the roof cladding material;

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

In the interests of visual amenity in accordance with policy BD6 and BD7 of the Leeds UDP (Review) 2006.

7) The development shall not be occupied until the cycle parking facilities as indicated on the approved plans have been provided. Facilities shall thereafter be retained on site for the lifetime of the development.

In order to meet the aims of the adopted Leeds UDP Review (2006) policy T2, T7A and T7B.

8) Demolition and construction activities shall be restricted to 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays with no works on Sundays and Bank Holidays.

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

9) No development, excluding any works of demolition or site clearance, shall take place until a Statement of Construction Practice has been submitted to and approved in writing by the Local Planning Authority. The Statement of Construction Practice shall include full details of:

- a) the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved;
- b) measures to control the emissions of dust and dirt during construction;
- c) details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of vehicles of the workforce;
- d) a plan showing the location of the access to the site during construction, including details of the vertical alignment of the access;
- e) the method of construction of the area of the original basement adjacent the public highway and the attainment of any and all necessary consents or approvals from the Local Highways Authority for the carrying out of these works.
- f) how the construction process will avoid impact on bus services which operate on routes in proximity to the application site
- g) how this Statement of Construction Practice will be made publicly available by the developer.



The approved details shall be implemented at the commencement of works to which the statement of Construction Practice relates, excluding any works of demolition or site clearance and shall thereafter be retained and employed until completion of works on site. The Statement of Construction Practice shall be made publicly available for the lifetime of the construction phase of the development in accordance with the approved method of publicity.

In the interests of the amenity of occupants of nearby property in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

10) All noise from mechanical plant shall be attenuated 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 the amenity of occupiers of the apart-hotel rooms and nearby premises in accordance with adopted Leeds UDP Review (2006) Policy GP5 and the National Planning Policy Framework

11) The approved details for the provision of bin storage facilities shall be implemented in full before the use hereby approved commences and shall be retained thereafter as such for the lifetime of the development and there shall be no storage of refuse or refuse storage containers on any part of the public highway whatsoever.

In the interests of amenity and to ensure adequate measures for the storage and collection of wastes are put in place in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

12) The hours of delivery to and from the premises (including refuse collections) shall be restricted to 0700 to 2100 hours Monday to Saturday with no such activities taking place on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

13) No mechanical ventilation or air conditioning system shall be installed or operated, including those which include filters to remove odour to be installed to the commercial kitchens, until details of the installation and operation of the system have been submitted to and approved in writing by the Local Planning Authority. The system(s) shall thereafter only be installed and operated in accordance with the approved details.

In the interests of amenity in accordance with policy GP5 of the Leeds UDP (Review) 2006.

14) Prior to the commencement of development a scheme of noise attenuation for the apart-hotel units shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include measures to show how noise levels

shall not exceed 35dB(A) in living rooms during the day and 30dB(A) in bedrooms at night. The scheme shall be implemented as approved prior to occupation of the apart-hotel.

To protect the amenity of occupiers in accordance with policy GP5 of the adopted Leeds UDP Review (2006) and WHO guidelines.

15) Any music or amplified sound shall not be audible from any point on the site boundary.

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

16) 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'.

17) 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.

18) 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.

19) Any soil or soil forming materials brought to site 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.

20) Prior to the commencement of development a report shall be submitted which sets out the findings of intrusive site investigations into the coal mining legacy on the site. In the event that these site investigations confirm the need for remedial works, a programme of remedial works shall be identified and undertaken prior to commencement of the development.

In order to ensure the safety and stability of the proposed development give there is a record of coal mining legacy on this site.

21) Development shall not commence until a drainage scheme (i.e. drainage drawings, summary calculations and investigations) detailing the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use, or as set out in any phasing details set out within the drainage scheme.

To ensure sustainable drainage and flood prevention in accordance with NRWLP policy Water 7 and GP5 of the UDP Review

22) The development should not be brought into use until a grease trap has been provided on the drainage outlet(s) from the food preparation areas. The grease trap should be retained at all times thereafter.

In order to ensure the site is adequately drained

23) Prior to the erection of any lighting on the building, a schedule shall be produced which sets out full details, including the design, luminance, support structures, fixtures, fittings, location and timescale for the erection of all the external lighting. The agreed lighting shall then be provided in accordance with the approved schedule and within the agreed timescale and thereafter retained on site.

In the interests of visual amenity and public safety in accordance with Policy GP5 of the Leeds UDP Review (2006).

24) No development, excluding any works of demolition or site clearance, shall take place until details of a Training and Employment Management Plan, have been submitted to and approved in writing by the Local Planning Authority. The plan will

aim to promote training and employment opportunities for local people at all stages of the development and once the hotel use commences and shall include:

- (i) Measures to ensure the owner and contractors work directly with local employment and training agencies;
- (ii) Targets for employing local labour
- (iii) Targets for work experience opportunities
- (iv) Measures to provide training opportunities in respect of any new jobs created
- (v) requirements to submit monitoring information on the plan at regular intervals to the Local Planning Authority

The development shall be carried out in accordance with the agreed plan and any amendments to the plan shall be agreed in writing by the with the Local Planning Authority.

In the interests of promoting economic and training opportunities in association with approved developments in accordance with Leeds UDP Review (2006) Policy R5 and the National Planning Policy Framework 2018.

25) If a contract for the redevelopment of the site has not been let at the point when the demolition of the existing buildings on site has ended then an Interim Proposal detailing how the site will be treated for the period prior to commencement of development, to include boundary treatments & lighting, shall be submitted to the Local Planning Authority for approval in writing within 1 month of the completion of the demolition works. The Interim Proposal shall be carried out within 2 months of the date of its approval by the Local Planning Authority and thereafter retained on site to the satisfaction of the Local Planning Authority until the commencement of development.

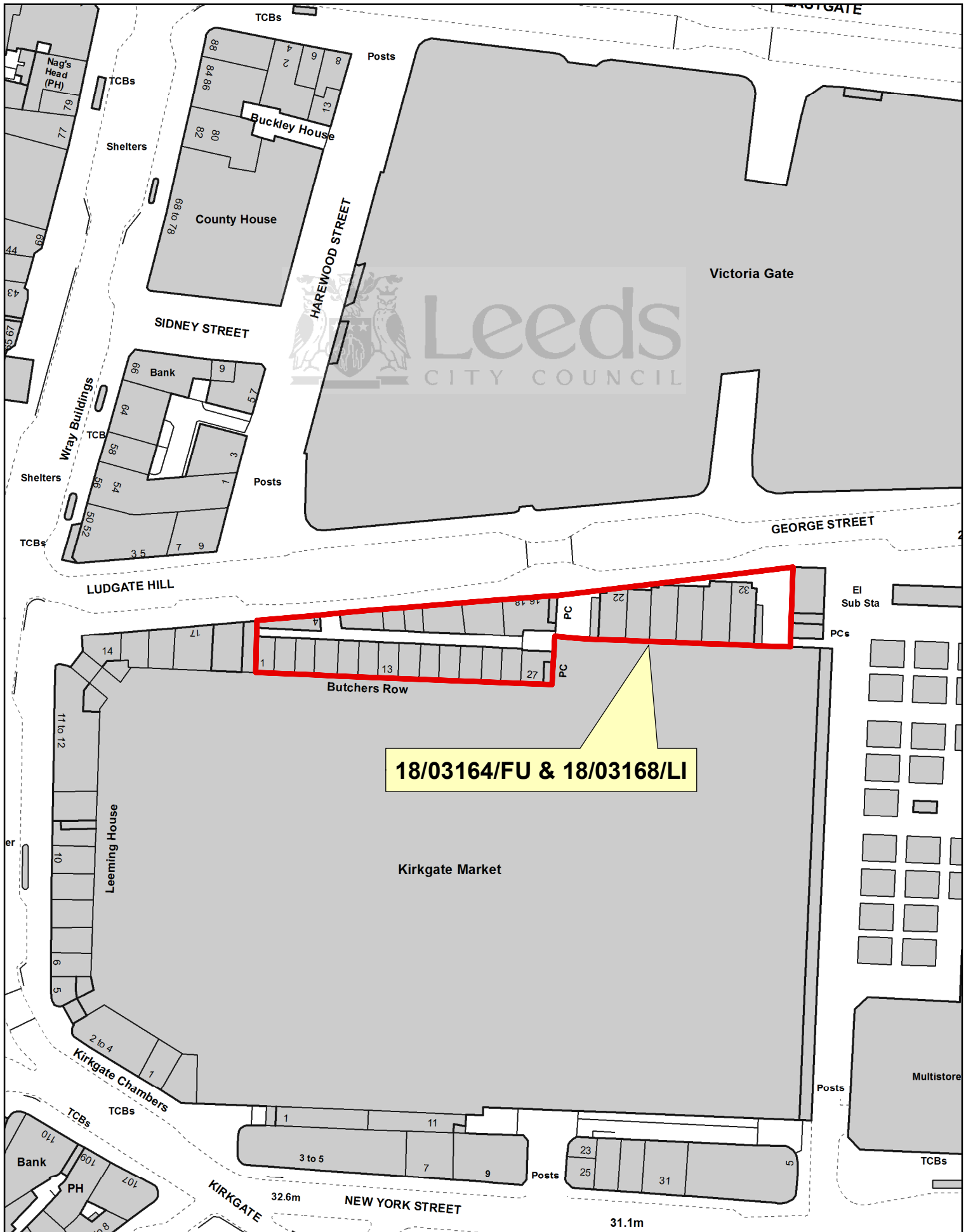
In the interests of amenity and visual amenity in this prominent city centre location in accordance with policy N27 of the Leeds UDP Review (2006)

26) No demolition or development to take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological and architectural recording. This recording must be carried out by an appropriately qualified and experienced archaeological consultant or organisation, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

In order to ensure that a record of the building is made prior to demolition

27) The apart-hotel units hereby approved shall be used as an apart-hotel only. The same person or family unit shall not occupy any apartment within the apart-hotel, hereby approved, for more than three months in one continuous occupancy, or for more than 3 months in total within any 6 month period to avoid an apartment being occupied as a person's or families sole, or permanent, place of residence.

In order to ensure that the apart-hotel hereby approved is not used as a 'Dwelling House' as set out in the Town and Country Planning (Use Classes) Order 2005, or any subsequent amending Act, which would bring with it the requirement to provide affordable housing in accordance with policy H5 of the adopted Leeds Core Strategy 2014



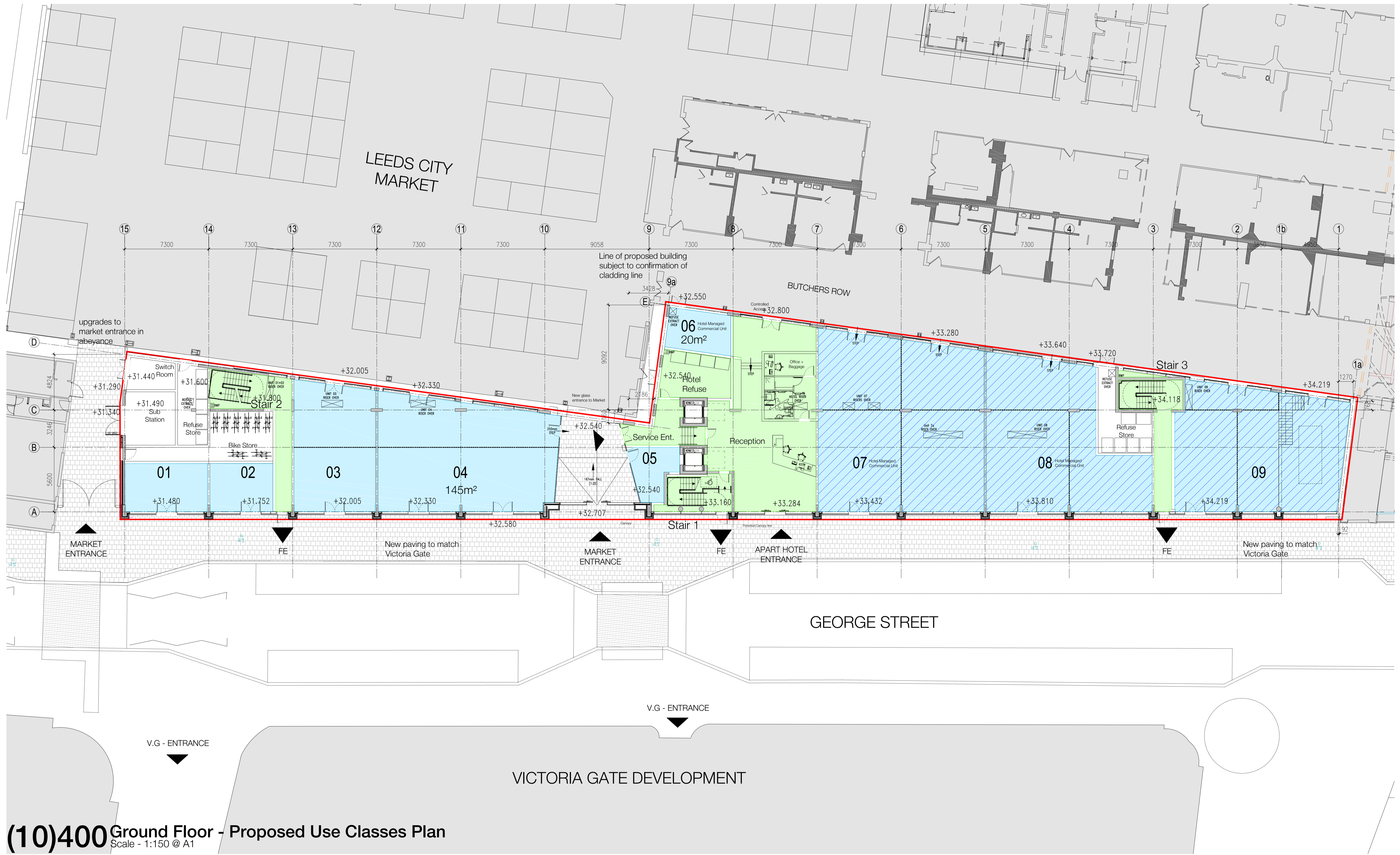
# CITY PLANS PANEL

© Crown copyright and database rights 2018 Ordnance Survey 100019567

PRODUCED BY CITY DEVELOPMENT, GIS MAPPING & DATA TEAM, LEEDS CITY COUNCIL

SCALE : 1/1000





Rev.	Des.	By	Date	Ch.
P2	Planning Issue	BXR	11.05.18	EJP
P1	Planning Issue for comment	BXR	09.05.18	EJP

Location Plan

— Application Boundary

Planning Use Classes:

- A1 Shops
- A1 Shops / A3 Restaurants and Cafes / A4 Drinking Establishments / A5 Hot food takeaways
- C1 Hotels

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. CJCt Copyright.

Project:	GEORGE STREET LEEDS	Job No.:	15012
Title:	GROUND FLOOR PROPOSED USE CLASSES PLAN		
Scale:	1:150 @ A1	Drawn By:	BXR
Date:	MAY 2018	Checked By:	BJP
Drawing No.:	(10)400	Revision:	P2

**cjct**  
careyjonas  
chaplantoicher

Victoria House, Southampton Row  
Bloomsbury, London WC1B 4EA  
Tel +44 (0)20 7269 9400  
Fax +44 (0)20 7269 9401  
www.cjctstudios.com

Rose Wharf, East Street  
Leeds LS9 8EE  
Tel +44 (0)113 224 5000  
Fax +44 (0)113 224 5001  
info@cjctstudios.com

**PLANNING**