



Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 27th June 2019

SUBJECT: OUTLINE PLANNING APPLICATION (MEANS OF ACCESS ONLY) FOR A MULTI-LEVEL MIXED USE DEVELOPMENT, INCLUDING DEMOLITION OF EXISTING OFFICE BUILDING, TOTALING UP TO 150,407 SQM (GEA) OF DEVELOPMENT COMPRISING OFFICE FLOOR SPACE (B1(a)) HOTEL (C1) RESIDENTIAL (C3); AND SUPPORTING USES COMPRISING RETAIL, LEISURE, HEALTH AND COMMUNITY USES (A1, A2, A3, A4, A5, D1 & D2); CAR PARKING (BASEMENT AND MULTI-STOREY); PUBLIC SPACES; LANDSCAPING; CYCLE PARKING; ACCESS; SERVICING; AND OTHER ASSOCIATED INFRASTRUCTURE AND ENGINEERING WORKS APP. REF.18/07929/OT WELLINGTON PLACE, LEEDS, LS1 4AP

APPLICANT: HERMES WELLINGTON PLACE SITE 2 GP LTD

Electoral Wards Affected:

Hunslet and Riverside

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 draft conditions attached to this report at Appendix 1 (and any others which he might consider appropriate) and also the completion of a Section 106 Agreement to include the following obligations:

- Affordable housing to be provided on site
- Provision of pedestrian link to viaduct public open space
- Public access to open space area to be accessible 24 hours
- Maintenance of public open space areas
- Footbridge across the River Aire
- Contribution to off-site highways works (amount to be agreed)
- Residential Travel Plan Fund (£250.25 per dwelling)
- Connection and location points to former Yorkshire Post site
- £19,000 Car Club Trial Fund
- Car Park Management Plan
- Employment and training opportunities

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

1.0 INTRODUCTION:

- 1.1 This application is an outline application for means of access only for a multi-level mixed use development, including demolition of an existing office building, totaling up to 150,407 sqm (GEA) of development comprising office floor space (B1(a)) hotel (C1) residential (C3); and supporting uses comprising retail, leisure, health and community uses (A1 - 5, D1 & D2); car parking (basement and multi-storey); public spaces; landscaping; cycle parking; access; servicing; and other associated infrastructure and engineering works.
- 1.2 Members received a pre-application presentation at Panel on 6th December 2018 having visited the site in mid-November. This explained the revised masterplan for the remaining development land at Wellington Place (Phase 2). This application is the formal submission for outline planning permission made by the applicant as a result of that pre-application process. Members received the scheme positively and the relevant minutes of the December 2018 Panel meeting are set out in para 4.2 below.
- 1.3 The scheme was the subject of a public consultation exercise carried out by the applicant on Wednesday 28th November 2018 in No. 3 Wellington Place. 38 people attended the exhibition of which 18 completed the comment form. This produced the following comments:
- Good quality design of buildings delivered on first phase and next phase will enhance the area
 - Park and Ride is an excellent idea
 - Sustainable transport links into the city centre need to be addressed
 - Access to the old railway bridge (viaduct) and improved access were supported
 - Keen to ensure wild habitats remain undisturbed and enhanced through new landscaping
 - Support for redevelopment the unused site
 - High level of on-site parking should be included
 - Mix of uses will create a community feel
 - Scheme would enhance the area
 - Public squares supported but should provide adequate street furniture for members of the public not just for commercial uses.

The applicant has advised that:

‘The consultation allowed for residents to provide feedback that, where possible, have been fed into the final design. Community engagement is an on-going process and this will be continued during the reserved matters stages.’

2.0 SITE AND SURROUNDINGS:

- 2.1 The remaining parcel of development land at Wellington Place totals nearly 3.3 Hectares and is located to the western side of the developed part of the existing estate (Phase 1). Phase 1 consists of 4 completed office buildings and 2 office

buildings which are currently under construction, located around a new Square (Tower Square) which is centred on the Grade II listed former railway lifting tower. To the north-west is the former Yorkshire Post site on which has now commenced the construction of an 18 storey residential building. A 3m wall runs the full length of the common boundary.

- 2.2 To the west is the River Aire over which is located the Grade II listed former railway viaduct which connects Wellington Place to the Monkbridge development site to the west of the Leeds Liverpool Canal. On the western bank of the river are also located a small pocket park and the City Island high-rise residential development. To the south is vacant land and Whitehall Waterfront and Whitehall riverside commercial developments. Land to the north of Wellington Street is predominantly in office use, with some ancillary ground floor retail units.
- 2.3 Wellington Street is one of the main roads into the City Centre and connects to the Leeds Inner Ring Road (A58), which provides access to the motorway network (M621, M62 and the M1) to the south. Whitehall Road is also an arterial route which carries bus services and is being upgraded by the introduction of cycle-ways as part of the City Connect scheme.

3.0 PROPOSAL

3.1 Revised masterplan

Wellington Place benefits from outline planning permission (app. ref. 06/06824/OT) for 13no. buildings and the consent has been part implemented as described above (Phase 1). The new outline relates to the undeveloped part of the original outline scheme with a western boundary which reflects that of the existing permission. The revised development parameters seek approval for means of access only. These would be located at Wellington Place to the north (utilizing the existing access road between the multi-storey car park and Building 2), and Whitehall Road to the south (where the new junction being installed for the Government Office would be utilized). There are no new junctions to either Wellington Street or Whitehall Road required as part of this proposal.

3.2 The requirement to revise the masterplan is driven by the following factors:

- The better understanding of underground constraints (location of an existing sewer and the need to provide easements).
- The requirement to provide larger office development plots.
- The requirement to include a multi-storey car park.
- The location of a new loop road and possible use as a Park and Ride terminus

This results in revised building plots which have been located to retain a series of north/south and east/west routes focused on surrounding features such as the viaduct, the lifting tower, connections to neighbouring sites and a new river bridge.

- #### **3.3**
- A total of 6 development plots are proposed, one of which requires the demolition of the existing office building at No. 1 Wellington Place (approved as part of the extant outline consent). Plots 9, 13 and 14 front the River Aire, Plot 12 is set back from the river and is central to the site, Plot 11 fronts Tower Square and Plot 1 replaces the existing No. 1 Wellington Place. Detailed reserved matters applications would be submitted for the appearance, layout and scale of these buildings, as well as the final landscaping treatment around them.

3.4 Open spaces and landscaping

The proposed development would include a series of interconnecting routes which pass between the buildings and link a new space next to the viaduct, 'Viaduct Square', to the existing Tower Square. These also pass along the river front to create a new river walkway, linking all the way from Whitehall Road, through the application site and former Yorkshire Post site to the inner ring road and West Street gyratory. The buildings are set back between 10m and 16.5m from the river in order to create sufficient space for this route. This widens out at Viaduct Square where the width between the buildings is proposed to be 40m fronting the river, with the depth of the square being approximately 60m. The detailed landscaping will be agreed at reserved matters stage, although the intention is to continue the high quality treatment which currently exists on Phase 1, but with an increased amount of soft landscaping to reflect the riverside setting. The intention is to retain bio-diverse riverside habitats, notably that in the south-western corner of the site adjacent to the Monkbridge development.

3.5 Proposed Building – Uses

The application is in outline and proposes new maximum development parameters for the plot layout and scale of development for up to 150,407 sqm Gross External Area (GEA), comprising the following land-uses:

- Use Class B1 (Offices) – 76,783 sqm
- Use Class C3 (Residential) – 23,443 sqm; approx. 200 units (Private for Sale)
- Use Class C1 (Hotel) – 12,868 sqm approx. 250 beds
- Multi Storey Car Park – 18,801 sqm approx. 500 spaces
- Ancillary Uses (Use Classes A1, A2, A3, A4, A5, D1, D2) - 4,608 sqm

3.6 The office accommodation is proposed to be located in Plots 9, 12, 13 and 14a (14b is an attached Multi-Storey Car Park - MSCP). A hotel is proposed to be accommodated in Plot 11 fronting Tower Square to provide up to 250 beds. The existing 4 storey office building at No. 1 Wellington Place is proposed to be demolished to provide residential accommodation for Private for Sale (PfS) apartments (up to 200 units) with a mix of 1, 2 & 3 bedroom units. (The residential mix will be determined at reserved matters stage). The Applicant has confirmed that the residential accommodation will meet Nationally Described Space Standards. Affordable Housing will also be provided on site.

3.7 Car Parking

The extant outline masterplan included outline consent for up to 1,700 car parking spaces to be delivered in a double decked basement arrangement. This is no longer being proposed given the changes in the delivery of Phase 1 and the changing development requirements. The total parking numbers following development of Phase 2 will be approximately 1,355 spaces, which is clearly a significant reduction.

3.8 The revised proposals include for car parking to be accommodated through a MSCP facility providing up to 500 spaces, with basement car parking for the remainder of the development to be accommodated in linked basements for Plots 9, 13, 14a and 14b. Plots 11 and 12 would have their own separate basement car park with unified access. A separate basement access is proposed for No.1 Wellington Place. The number of development parking spaces will be limited to the maximum permitted under the Leeds City Council Parking SPD which would provide 678 spaces for the phase 2 floorspace (residential (120 spaces); office (439 spaces) ; hotel (67 spaces); mixed commercial ground floor uses (52 spaces)). In addition there is a

shortfall of 164 spaces from the first phase of Wellington Place, also to be accommodated within Phase 2, making a total parking provision within phase 2 of 842 spaces. All car parking would make the required provision for disabled spaces and Electric Vehicle Charge Points (EVCP)

3.9 The MSCP will be used for development parking, with the balance used for public short stay parking. Its access is taken from a new loop road which is proposed to be introduced along the northern side of the site. This would be designed to provide a Park and Ride bus terminus exiting onto the roundabout adjacent 1WP. 4 no. car club spaces are to be provided on site.

3.10 Scale

The following maximum storeys are proposed for each of the development plots:

Plot Number	Maximum Height		Primary Use
	Storeys	Ordinance Datum	
1	20	+115.650 AOD	Residential
9	13	+ 87.000 AOD	Office
11	10	+75.000 AOD	Hotel
12	11	+79.250 AOD	Office
13	12	+83.000 AOD	Office
14a	11	+79.000 AOD	Office
14b	9		MSCP

The maximum height proposed is 20 storeys of residential use (+115.6m AOD), which is the proposed height of the building on the current site of Building 1. The extant outline permission on this site is for a building 117m AOD and so the proposal is slightly lower than the extant approval. The remaining blocks have a maximum size between 9 to 13 storeys in height, although, as these are maxima, the final buildings could be lower. The proposed buildings are generally taller than the buildings proposed as part of the original outline permission, which located the lower buildings in the centre of the scheme. The parameter plans submitted also indicate that the Wellington Place signature sloping roof line would be incorporated into the future architecture.

3.11 River Crossings

The revised masterplan retains the commitment to deliver a footbridge over the River Aire as well as the vertical connection onto the Grade II listed viaduct (the viaduct falls outside the site boundary). The viaduct link would give access to the new park to be located on top of the structure and then on to the proposed Monkbridge residential development and Armley beyond. The low level bridge would provide the link across to the canal towpath and Trans-Pennine cycle Route 66.

3.12 Flooding

The site falls within Flood Zone 3 therefore a Flood Risk Assessment (FRA) has been submitted with the application. The proposal is to set the building's ground floor levels at a minimum height above ordnance datum (A.O.D.) advised by the Environment Agency. It is not proposed there are any residential uses at ground floor level. In addition the river frontage is part of the Flood Alleviation Scheme Phase 2 (FAS2) and so discussions have taken place with the Environment Agency to ensure the development proposals and FAS2 are aligned.

3.13 Wind

The applicant has submitted a qualitative wind study. This has identified that the strongest winds are likely to be experienced around the buildings fronting the river (Plots 9, 13 and 14) and the base of the tallest tower at No. 1. These would be the subject of wind tunnel studies at the reserved matters stage where any mitigation required, either as part of the building design or within the public realm, would be established. Wind studies would also be carried out for the other 2 buildings (11 & 12) but these would not need to be wind tunnel tested.

3.14 Sustainability

A Sustainability Statement has been submitted which demonstrates how the proposal will achieve its sustainability commitments, achieving BREEAM excellent for the commercial plots. The Statement sets out a number of measures that are to be employed across the site to ensure sustainability targets are met, as follows:

- The reduction of energy and carbon emissions throughout the site will be implemented through an energy hierarchy which prioritises reduced energy use over all, then moves through energy efficient measures and low & zero carbon technologies, to the use of conventional energy sources.
- Energy consumption with each building will be reduced through passive design measures including high standards of insulation, high performance glazing, low levels of air permeability and the utilisation of solar shading.
- High levels of energy efficiency will be achieved through intelligent lighting controls, LEDs, heat recovery and efficient lifts.
- Water consumption will be reduced through efficient fittings, leak detection and water metering.

3.15 The Statement makes it clear that the goal is to improve the health and wellbeing of the building's occupiers and visitors, which would be enhanced through high levels of indoor air quality; careful consideration of thermal comfort; accessible design measures; safety and security and a wide range of amenities and significant outdoor space.

4.0 HISTORY OF NEGOTIATIONS AND RELEVANT PLANNING HISTORY

4.1 Officers had a series of meetings with the developer team prior to the pre-application presentation to Panel in December 2018 to discuss the building layout plan, parameter heights and vehicle access, circulation and car parking.

4.2 Members were generally supportive of the pre-application presentation to Panel in December 2018 and the relevant minutes of the meeting are set out below:

- Members considered the proposed mix use to be acceptable.
- Members were supportive of the revised masterplan arrangements for the remaining development plots at Wellington Place.
- Members were supportive of the proposed maximum scale (height) of development on the remaining development plots.
- Members were generally supportive of the proposed introduction of a multi storey car park to meet the development car parking provision on the estate only. Councillor Nash stated that, although she was supportive of the development generally, she could not support the multi storey car park element.
- Members were supportive of the emerging approach to public space and landscaping, including the replacement of the urban beach within Viaduct Square.

4.3 The outline planning permission ref. no. 06/06824/OT secured detailed approval for the following:

‘Outline application to layout access and erect mixed use multi-level development up to 19 storeys, with offices, residential, hotel, shops, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways, cultural and community uses, basement car parking, associated landscaping and public space.’

The submitted details were for means of access (two vehicular access points onto Whitehall Road and a third access point to the north, off Wellington Street, utilising the existing junction) and layout (for the building plots, routes and open spaces). Scale, external appearance and landscaping were reserved for detailed planning approval for each development plot. The outline was approved in principle by Members at Panel on 1st March 2007 and comprised 13 individual buildings containing:

- Use Class B1 (offices) - 162,800m²
- Use Class C3 (residential) - 43,650m² (approx. 700 units)
- Use Class C1 (hotel) - 18,950m²
- Use Class D1 (cultural and community uses) - 4,900m²
- Use Classes A1, A2, A3, A4 and A5 (shops, cafes, bars, restaurants etc.) - 10,930m² [A1 floor space restricted to 1,000m² by condition]
- Basement Car Park - 48,599m² (1,700 spaces)
- Total - 241,230m²

The S106 agreement contained obligations in respect of:

- Affordable housing provision
- Publicly accessible open space
- To permit the linking of the WP site to its neighbours
- Provision of a low level river bridge
- Provision of a connection to the listed viaduct
- Local employment opportunities
- Highways related contributions and initiatives

4.4 Buildings 7&8 were approved by Members at Panel in February 2017 (16/06523/RM) and works are now well advanced for what is to be the new regional HQ of the Government Property Unit.

4.5 Building 4 was approved by Members at City Plans Panel app. ref. 17/07823/RM and has also commenced on site.

4.6.1 Outline permission for the redevelopment of the former Yorkshire Post site for 1 residential building and 3 office buildings with associated open space and parking approved 31st March 2015 app. ref. 14/05976/OT.

4.6.2 Subsequent reserved matters approval for first phase residential building approved 25th October, app. ref. 16/07088/RM.

4.7 Hybrid application for Monkbridge residential development of 5 residential buildings and conversion of viaduct to landscaped park approved 21st September 2017, app. ref. 16/07714/FU

4.7.1 Subsequent reserved matters approval for 2 residential buildings approved 18th September 2018, app. ref. 18/02565/RM

5.0 RESPONSES FROM PUBLIC

5.1 Letters of representation have been received from the following:

5.2.1 Quod planning consultants representing YP Real Estate (who have an interest in the former Yorkshire Post site).

- The sites are to be linked at 2 points and these need to be included on an access plan. Believe that the same obligations should exist for the development as exist on the former YP site in respect of joining the 2 sites together. These should be included in the S106 agreement.
- The revised access to the MSCP is better than the original submission but 'seeks confirmation that special care is adopted in the future design of this access road, and a dedicated pedestrian crossing is required, to ensure that pedestrian permeability between the two sites is not unduly hindered.'
- The loop road provides an unattractive environment for pedestrians.
- The new loop road should only be accessed by buses and those visitors using the car park only, rather than the wider public.
- The location of the proposed MSCP next to the existing MSCP creates 'a wall of MSCP's'. 'The lack of an active frontage fails to provide an adequate level of good design'. There needs to be an attractive frontage created to mitigate this impact.
- Building 14 adjacent the YP site should have active ground floor frontages. If this is not possible then they should be designed to provide an attractive high quality environment to ensure a good pedestrian environment and public realm in this area.
- Believe that temporary access should be created between the two sites whilst Wellington Place is built out, given the adjacent Building 14 is shown as the third phase of development.
- The proposal does not support the pedestrian permeability objectives of Core Strategy policy P10 and NPPF para 124.

5.2.2 Quod planning consultants representing Landsec (which owns Trinity Shopping Centre):

- Supportive of such a major regeneration project within the city.
- Need to ensure that the scheme complements the Primary Shopping Quarter rather than competing with it.
- The previous outline was restricted to 1,000 sqm of retail space with no unit to be more than 80 sqm. No retail sequential or impact assessment has been submitted with the application and therefore the amount of floorspace to be provided should be restricted.

6.0 CONSULTATION RESPONSES

6.1 Statutory

Coal Authority: No objection. The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area.

Canal and River Trust: Advise they have no comment to make.

Environment Agency: No objection subject to condition requiring finished floor levels to be set in accordance with the submitted Flood Risk Assessment (FRA) and that the building footprints are to be no greater than those approved as part of the existing outline approval. Support the submitted FRA which sets out that flood-proofing and flood resilience measures will be used. Any hazardous materials discovered during the construction process should be taken off site and disposed of in line with the relevant legislation.

Highways England: No objection subject to condition requiring the submitted travel plan to be implemented and monitored. (This will be included in the S106 agreement)

6.2 Non-statutory

Highways Services:

The site is within the city centre with access to comprehensive facilities and public transport options. The recently completed Northern Street crossing and cycle track works around the site have further added to the sustainability of the site.

Access Points: Two vehicular access points are proposed, one each from Whitehall Road and Wellington Place which are to have a subterranean link as envisaged from the original development concept. The Whitehall Road vehicular access is to be built under a S278 agreement, linked to the opening of Building 7&8, however these works will not include the footway and cycle track works. A further S278 Agreement will be required with this development to provide the cycle track, footway, bus stop and pedestrian crossing.

Parking: Parking is proposed in a mixture of basements under buildings and in a MSCP facility. An assessment has been submitted to show that there is a shortfall in car parking beneath Phase 1 (164 spaces) which is suggested can be provided within the MSCP. The calculation of areas on the outline application area is based on the maximum plot boundaries and it is likely that the built floor areas will be less than this. As most buildings contain basements some adjustment to the maximum parking numbers will need to be made as reserved matters applications are submitted for each block to reflect the final floor area and consequent maximum parking allocation. At the moment there is no indication on the number of spaces to be provided in the basements and hence final capacity of the MSCP. However, the phasing of the car park within one of the later phases (Phase 3) gives some time for proposals to be firmed up before it is constructed.

Therefore, if, after the car park is built, the total provision of spaces is greater than that required to meet the policy maximum long stay parking for the site, any excess spaces can only be used as short stay public parking. A Car Park Management Plan should be conditioned to deliver this arrangement. When reserved matters are submitted, details will be required of Electric Vehicle Charge Point and disabled parking along with cycle and motor cycle parking.

Transport Assessment (TA): The calculated trip movements are accepted. The assumption with the distribution is that all traffic arrives from the west along either Wellington St or Whitehall Road, effectively assuming that the L.C.C. ambition to close City Square to traffic is in place. As the T.A is looking at a 2025 scenario, this is a reasonable assumption. The Wellington St/Wellington Pl/Lisbon St junction is shown to operate acceptably.

Off-site highway works were required to be carried out by the original outline permission which are no longer necessary. However, as identified in the T.A., traffic to the development will approach via the West Street gyratory and Whitehall Road, where there is an identified need for improvements to support the Transport Strategy and growth of the city. Therefore, it is appropriate for a financial contribution to off-site highway works to be included within the S106 Agreement. This amount was being discussed at the time of writing this report.

Accessibility Walking and Cycling: The proposals extend the cycle track along Whitehall Road from the Toucan crossing westwards which is welcomed. This has been shown along with the provision of a bus stop. The proposals include a loop road that could potentially be used for Park and Ride or other bus services to penetrate closer to the site, this is an aspiration of the developer and subject to agreement with stakeholders involved in the Park and Ride operations. The western side of the site is within an 11 minute walk of the existing stops on Boar Lane, which is not an unreasonable distance within the context of the city centre, should the extension of the Park & Ride service to the site not occur. The proposals are subject to agreement with WYCA and the council and will be the subject of a future detailed application if agreement is reached.

The previous outline consent for the whole Wellington Place site requires a footbridge to be provided across the river, this obligation needs to be carried forward to this application and a firm commitment to its delivery provided.

Servicing and Loop Road: Until the loop road is built, plots 11 and 12 will be served from a stub road for both car park access and servicing and it will operate as a two way street. A plan has been submitted showing a 6.0m wide stub for the start of this street which is acceptable, with the remainder of the street detail to be submitted with reserved matters applications for plots 11 and 12.

The submitted masterplan makes allowance for servicing from either a controlled route through the site or the proposed loop road for buses. The loop road and adjacent footway will need to be designed to permit lay-bys provided for back of house servicing and drop-off for the hotel, if it is to be used for that purpose. Details of this can be controlled within the phase which includes the full extent of the loop road when this comes forward (Plots 11&12).

Within the site the public space is carried through from the developed area. There is more reliance on surface access for operational reasons which will require the routes to be subtly demarked within the landscape to provide way-finding for people with sight difficulties.

The MSCP access arrangements from the loop road will need further development at reserved matters stage to ensure a good quality pedestrian connection to the neighbouring former Y.E.P site is provided across the access road. It should be noted that shared space schemes are subject to further government guidance which is currently awaited.

Road Safety: There are no identified road safety concerns.

The way the site interfaces with the public highway, where there is currently a retaining wall in front of Building 9 on Whitehall Road, will need to be controlled by condition.

Wind: The Environmental Wind Assessment notes potential windy areas that could affect the public highway on Whitehall Road and Wellington Place. Where the wind modelling affects the highway, both comfort and safety criteria should be considered. Any mitigation measures must not be within or over the public highway and trees are not considered suitable mitigation for impacts on the highway.

Environmental Health: No objection subject to conditions controlling delivery times, Construction practice, noise and dust control during construction, sound insulation scheme to protect future occupiers, entertainment use noise control, noise from plant and machinery, opening hours for commercial uses, lighting, waste collection and extract ventilation.

Contaminated land: No objection subject to conditions regarding further contaminated land and remediation reports to be submitted in respect of each future phase of development.

Flood Risk Management: No objection subject to condition requiring further details of surface water drainage works and SUDS management and maintenance plan. L.C.C. Policy – Flood Risk, add that the site is allocated in the SAP as MX1-8. No objections have been raised to this site or the Council's sequential or exceptions tests. The sequential and exceptions tests are considered to be passed in accordance with para 162 of the NPPF.

Yorkshire Water: No objection subject to conditions regarding protecting existing drainage infra-structure on the site by way of easements along the routes of existing drainage pipes and details of surface water discharge works

Nature Conservation: No objection. The plan to retain bio-diverse riverside habitats, notably that in the south-western corner of the site which links to Monkbridge viaduct, is supported. Details to be controlled by conditions requiring a Construction Management Plan and a Bio-diversity Management Plan.

Environmental Studies Transport Strategy Team: No objection. The air quality assessment submitted indicates that no air quality objective levels will be exceeded either at the development site or elsewhere as a result of the proposals. Conditions are required for an acoustic report for the residential facades, any mechanical ventilation system to be installed and an air quality report to be submitted should the site require a future on-site energy generation facility.

Travelwise: no objection subject to S106 Agreement covering the following:

- provision of Leeds City Council Car Club provider 4No parking spaces
- Car Club business trial membership and drive time contribution of £19,150
- provision of a Residential Travel Plan Fund of £250.25 per dwelling

West Yorkshire Archaeology Advisory Service: No objection subject to condition requiring written scheme of archaeological investigation to be submitted.

WYCA: Residential use requires a residential travel plan fund, discussions are ongoing about the use of the site as a Park and Ride (P&R) terminus. The P&R stop point would need to be an attractive facility if it is to be provided. The financial contribution to a stop on Whitehall Road secured as part of the previous outline could be used for stop upgrades in the area.

West Yorkshire Police: No objection. Make recommendations to the applicant in respect of car park security, lighting, bicycle storage security, CCTV, measures to prevent vehicle strike, building access security and alarm systems.

Wind: Peer review carried out by RWDI on behalf of Leeds City Council – The use of a qualitative process to assess winds here is appropriate for this outline application. The submitted wind study has identified that the windiest conditions are likely to occur around the buildings fronting the River Aire (Buildings 9, 13 & 14) and around the base of the tallest element at Building 1. These should be the subject of wind tunnel testing at reserved matters stage. Buildings 11 and 12, as they are relatively simple in their massing and orientation, can be assessed using a desk based qualitative approach (all of the above to be subject to future peer reviews). In any case, when the wind tunnel studies are carried out on the other 4 buildings this will include Buildings 11 and 12. It is expected that mitigation, and if necessary the reduction in building heights, would be able to overcome any safety issues identified.

7.0 RELEVANT PLANNING POLICIES

7.1 Development Plan

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

- The Leeds Core Strategy (adopted November 2014)
- Saved UDP Policies (2006), included as Appendix 1 of the Core Strategy
- The Natural Resources & Waste Local Plan (NRWLP, adopted January 2013) including revised policies Minerals 13 and 14 (adopted September 2015)

7.1.2 The Adopted Leeds Core Strategy 2014

This sets out strategic level policies and vision to guide the delivery of development decisions and the overall future of the district. The site is located within the City Centre defined boundary. Relevant Core Strategy policies include:

- Spatial Policy 1 sets out the broad spatial framework for the location and scale of development. This policy prioritises the redevelopment of previously developed land within Main Urban Areas, in a way that respects and enhances the local character and identity of places and neighbourhoods.
- Policy P10 requires new development to be based on a thorough contextual analysis to provide good design appropriate to its scale and function, delivering high quality innovative design and enhancing existing landscapes and spaces.
- Policies EN1 and EN2 – sustainability policies which seek to reduce total predicted carbon dioxide emissions and provide low carbon energy sources.

- Policy CC1 City Centre growth: to accommodate 655,000sqm of office floorspace in the city centre, encouragement of residential development provided it does not prejudice town centre functions (incl. employment) and provides a reasonable level of amenity for occupiers.
- Policy CC3 Improving connectivity: Requires developments which are appropriately located to improve connections within the city centre and to the adjoining neighbourhoods in order to improve access to jobs and services, encourage walking and cycling and improve safety.
- Policy G5: Open space provision on site in the city centre: Requires a minimum of 20% of the site area to be open space for commercial schemes
- Policy G9: There will be an overall net gain in bio-diversity commensurate with the scale of the development. The design of new development including landscaping to enhance existing wildlife habitats and provide new areas and opportunities for wildlife
- Policy T1: Transport Management states that support will be given to the following management priorities: (iii) to ensure adequate parking for shoppers and visitors to support health and vitality of the city; support wider sustainable travel objectives; limiting the supply of commuter parking in areas of high public transport accessibility e.g. the city centre; delivering park and ride facilities.
- Policy T2: Accessibility Requirements and New Development - states that new development should be located in accessible locations that are adequately served by existing or programmed highways, by public transport and with safe and secure access for pedestrians, cyclists and people with impaired mobility. New infrastructure may be required on and off site to ensure adequate access to public transport and for cyclists and pedestrians; developer contributions may be required to the highway network and pedestrian and cycling infrastructure; Travel Plans will be required; parking to be provided in accordance with current guidelines.

Other relevant policies are:

Spatial Policy 2 Centres First approach

Spatial Policy 3 City Centre Development

Spatial Policy 6 housing requirement and allocation of housing land

Spatial Policy 8 economic development priorities

Spatial Policy 9 provision for offices, industry and warehouse employment land and premises

Spatial Policy 11 transport infrastructure investment priorities in line with Policy T1

Spatial Policy 13 strategic green infrastructure

P11 heritage

P12 landscape

H2 housing on unallocated sites

H3 housing density

H4 housing mix

H5 affordable housing

H9 minimum space standards

H10 accessible housing standards

EN4 District heating connection hierarchy

EN5 identifies requirements to manage flood risk

Relevant Saved Policies include:

GP5 all relevant planning considerations

BD2 design and siting of new buildings

BD4 plant equipment and service areas

BD5 all new buildings to be designed with consideration given to their own amenity and that of their surroundings, including useable space, privacy and satisfactory daylight and sunlight.

LD1 landscaping

CC2 City Centre boundary

N25 boundary treatments

BD4 all mechanical plant

(In relation to Saved Policy BD5 noted above, the Council is keen to promote good standards of daylight and sunlight in the interests of both mental and physical wellbeing, and in order to avoid a wasteful use of energy in providing unnecessary artificial light.)

The site is part of the office expansion area within the prime office quarter as set out on the city centre insert map.

7.1.4 Leeds Natural Resources and Waste DPD 2013 (NRWLP)

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

Air 1 management of air quality through new development

Water 1 water efficiency

Water 2 protection of water quality

Water 4 development in flood risk areas

Water 6 flood risk assessments

Water 7 surface water run-off

Land 1 contaminated land

Land 2 development and trees

7.1.5 Supplementary Planning Documents

SPD Building for Tomorrow Today: Sustainable Design and Construction

SPD Accessible Leeds

SPD Street Design Guide

SPD Travel Plans

SPD Parking

SPG Neighbourhoods for Living

City Centre Urban Design Strategy

SPD Tall Buildings

7.2 National Planning Policy Framework (NPPF) - Revised February 2019

7.2.1 The NPPF was revised in February 2019 and, working in conjunction with the National Planning Practice Guidance (NPPG), outlines the national planning policies for England and how these are expected to be applied. One of the key principles running through the NPPF 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 and increases the emphasis on high-quality design and place-making.

Paragraph 59 of the revised NPPF supports the objective of significantly boosting the supply of homes. It is important that a sufficient amount and variety of land can come forward where it is needed.

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; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

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.

Paragraph 123 (c): Local Planning Authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in the NPPF. In this context, when considering applications for housing, authorities are to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Section 12: Achieving Well-designed places

Paragraph 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 (including green and other public space) 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

Para 190: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Para 192: In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Para 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 (and the more important the asset, the greater the weight should be).

7.3 Other Material Considerations

7.3.1 Residential amenity standards: DCLG – Technical Housing Standards 2015 (Nationally Described Space Standards, NDSS) sets out internal space standards within new dwellings. The NPPG advises that where a local planning authority wishes to require an internal space standard it should only do so by reference in the local plan to the NDSS. With this in mind, the Council is currently carrying out its Core Strategy Selective Review (CSSR) which will allow the national standards to be incorporated within the Core Strategy. The current position in respect of the CSSR is set out below.

7.3.2 Core Strategy Selective Review (CSSR):

Paragraph 48 of the NPPF makes clear that the amount of weight given to relevant policies in emerging plans relates to a) how advanced the emerging plan is, b) the extent to which there are unresolved objections to relevant policies and c) the degree of consistency of those policies with the NPPF.

A selective review of CSSR has been undertaken. Taking the above factors into consideration: a) the CSSR is at an advanced stage with hearing sessions concluded in February and the Inspector's Main Modifications (MMs) being issued on 10th April 2019, b) the Inspector is proposing that the MMs are those which are necessary to make the CSSR sound having had regard to all the objections to the plan, and c) it follows that consistency with the NPPF has been addressed by the Inspector in her MMs.

As MMs have now been issued by the Inspector, the CSSR can now be afforded significant weight. Those policies within it that are not subject to a MM can be

afforded more weight, as it is implicit that the Inspector considers the policy sound without modification.

The CSSR increases the amount of affordable housing to be provided on site to 7% (Policy H5) and includes the adoption of the NDSS into local policy (Policy H9). Policy H4 seeks to achieve an appropriate housing mix and Policy H10 requires accessible and adaptable housing to be provided

7.3.3 Emerging Site Allocations Plan (SAP)

The SAP is at a highly advanced stage as the SAP has been through examination and the Inspector has issued proposed MMs and these were the subject of consultation between 21 January and 4 March 2019. At the time of writing this report, the Inspectors are having regard to the consultation responses made on MMs before reaching their conclusions on the soundness and legal compliance of the SAP in their final report which is expected imminently. Where no Main Modification is proposed in relation to an allocation, the SAP can be afforded significant weight.

The Wellington Place site is identified in the SAP for mixed-use under draft SAP plan reference MX1-8. The allocation covers an area of 6.08ha and broadly reflects the outline planning permission and is identified as having capacity for 121,175 sqm of offices (B1a) and 600 dwellings (C3).

Flood Alleviation Scheme 2 (FAS2)

The Council, with advice from the Environment Agency, has produced a package of measures which are to contribute to flood resilience in the city. This package was approved in principle by Members at City Plans Panel on 6th June 2019.

8.0 **KEY ISSUES**

Principle of Uses
Means of Access
Layout
Open Space and Pedestrian Permeability
Scale
Car Parking and Car Park Access Points
Travel planning
Residential amenity
Affordable housing
Flood risk
Heritage
Bio-diversity
Sustainability

9.0 **APPRAISAL**

9.1 Principle of Uses

The Wellington Place development already has outline planning permission (06/06824/OT) for the range of uses proposed by this revised scheme. That permission has been part implemented and remains extant.

9.2 This site was part of the prime office quarter expansion area set out in the UDPR and so there has been a long standing objective for the site to provide B1(a) office related employment opportunities. The Draft SAP is a material planning consideration which identifies Wellington Place for mixed-use development. The allocation covers an area of 6.08ha (the wider Wellington Place site) for uses which

include office, residential, hotel and ground floor mixed commercial uses. This reflects the extant planning permission which included 162,800sqm of office floor space and approximately 700 residential units.

- 9.3 This proposal includes 4 plots that can accommodate up to 76,783 sqm of office floorspace (Class B1a) which, when combined with the office development provided pursuant to the extant consent, would provide a total office content of approximately 190,000sqm. This would make a significant contribution towards the office floorspace target of 655,000 sqm by 2028 (Core Strategy Policy CC1), thereby reinforcing the position of Leeds as an economic driver in the region. The proposed office floorspace is an important element in the wider regeneration of Wellington Place and would provide new high quality facilities and the employment opportunities that come with this. The proposal is clearly supported by policies SP1, SP2, SP3, SP8, SP9 and CC1 of the Core Strategy.
- 9.4 In respect of the proposed residential units, this proposal would reduce the overall number to be provided on Wellington Place Phases 1 & 2, to 200 in total. However, it is recognized that proposals on nearby development sites to the west, e.g. the Monkbridge combined sites (1,000 units), have been oriented towards the provision of a greater number of residential units than originally anticipated. Therefore, as a result of this proposal, Wellington Place would increase its role as employment provider in the area, with the surrounding sites, slightly further out from the city centre, providing the residential accommodation. This is considered to be consistent with Core Strategy Policy CC1, which advocates residential use in the city centre, 'providing that it does not prejudice the town centre functions of the city centre'. This is considered to represent a sustainable relationship where workers in Wellington Place are likely to be accommodated in the surrounding residential developments, thereby reducing vehicle related work trips and supporting the mixed commercial uses to be provided at ground floor level.
- 9.5 The extant outline permission includes a hotel. However, this use has not come forward as part of the first phase. The proposal includes up to 12,868 sqm of hotel floorspace on plot 11, capable of accommodating a 250 (approx.) bed hotel development. Hotels are considered to be appropriate uses in Town/City centres. Spatial Strategy 3 of the CS recognises the important role new hotel uses play in maintaining and enhancing the economic performance of a City. Policy P2 supports new hotel developments within the defined City Centre. The hotel floorspace is positioned adjacent to Tower Square which would provide an attractive position for a hotel close to the centre of the Wellington Place estate. The proposal is supported by policies SP1, SP3 and P2 of the Core Strategy and therefore the inclusion of a hotel in the second phase is supported.
- 9.6 The proposal is for up to 4,608sqm of mixed commercial ground floor uses, including A1 retail use, as well as leisure and community related uses. The ability to populate the ground floors with the range of other uses proposed is seen as a very positive part of the proposal as it would animate the adjacent open spaces, provide active frontages outside regular office hours, service the working and residential population and provide security through natural surveillance. The encouragement of these uses also increases the likelihood of the ground floor of Building 14 having a lively and active frontage which would address the concerns of the objection from YP Real Estate set out above.
- 9.7 A Retail Sequential Test has not been submitted with the application. Therefore in order to comply with Core Strategy Policies CC1 and P8, the amount of retail floor space that can be provided on site is 200sqm maximum. This is in order to protect

the City's Primary Shopping Quarter. Given the small size of this in comparison with the total amount of floor space being provided across the entire Phase 2 site, it is considered unnecessary to restrict the maximum size of each individual unit to 80 sqm as occurred in Phase 1. This overall restriction to 200sqm of retail space will be controlled by condition and is considered to overcome the objection regarding retail floor space made by Landsec in their letter set out above.

9.8 In conclusion, the proposed uses are considered to be acceptable in terms of the range of local and national policies set out above. These also largely reflect the existing outline approval and are considered to be acceptable.

9.9 Means of Access

The outline application is submitted with only means of access being applied for in detail. The applicant has assessed the transport requirements for the estate and submitted a full Transport Assessment with the application, the consideration of which is set out in the consultation response from Highways Services above. The site is accessed from a junction on Whitehall Road, being installed as part of the development at 7&8 Wellington Place, and from the existing site access road at Wellington Place. Therefore the means of access to the site would require no new junctions to the nearby main arterial routes which is clearly a positive feature of the proposal.

9.10 The response from Highways Services sets out the other works required to take place and these will be controlled by condition or through the S106 Agreement in order that the development can be considered acceptable. The off-site highway works and pedestrian connection improvements are necessary to mitigate the impact of the development on the highway network and comply with policies T2 and CC3 of the Core Strategy. The accommodation of a potential Park and Ride terminus has been included in the application but this facility is not necessary to make this proposal acceptable in terms of accessibility or sustainability.

9.11 Layout

As the application is in outline with all matters reserved save for access, parameter plans have been submitted for approval to provide detail with regards to the location of the plots and layout (maximum), heights of the buildings (maximum) and the distribution of the various proposed uses within the blocks. The existing underground services beneath the Phase 2 site are now better understood and have informed the revised masterplan, through the need to avoid construction in proximity to these drainage routes. The submitted scheme retains the key design principles established under the existing outline planning permission but rationalises the original footprints to form larger building plots which better reflect the demands of likely commercial occupiers.

9.12 The plan retains a series of north/south and east/west routes which are oriented towards notable features e.g. the existing viaduct and lifting tower and the proposed footbridge over the River Aire. The space between the buildings ranges between 12m and 22.5m which reflects the hierarchy of routes being created. These distances would allow sufficient space around the buildings for landscaping and for ground floor commercial uses to animate the spaces with seating areas, as they have done as part of the Phase 1 development.

9.13 In respect of the new MSCP facility, it is accepted that the design of this would have to be attractive and mitigate any impact on surrounding buildings. This is possible through the choice of appropriate cladding and screening materials. The car park is attached to an office building which would screen it when viewed from the riverside

and also provides the opportunity to integrate it within an attractive design, the details of which would be worked up at reserved matters stage. In addition to the above, the width and orientation of the proposed car park would mean that the 'wall of car parking' referred to in the objection letter from YP Real Estate would be avoided.

9.14 Open space and pedestrian permeability

A minimum 35% of the site area is to be laid out as public open space and this is supplemented by new and improved walking and cycling routes connecting the existing and proposed squares and linking with the adjoining sites. This exceeds the 20% site requirement of CS policy G5. It is proposed that the quality of the landscaping scheme in evidence on other parts of Wellington Place is continued throughout Phase 2. The Wellington Place public realm area is designed to give pedestrians priority through the provision of high quality surfaces, landscaping and street furniture, which prioritises the needs of those on foot (and potentially on bike) and through the strict control on the type of vehicles allowed to use it.

9.15 Viaduct Square is oriented to the south-west to gain maximum benefit from the path of the sun throughout the day. The landscaping would soften the appearance of the pedestrian areas, with the new square to receive particular attention given it will be a focus both visually (the viaduct can be seen from the Northern St/Wellington St junction well over 300m away to the north-east) and for pedestrian movement. This area replaces the 'urban beach', proposed as part of the extant outline, which was a terraced area designed to flood incrementally as the river rose in height. The river frontage is now the subject of the FAS2 scheme where the proposal is to build a flood defence wall fronting the river. The laying out of landscaping behind this defence, as part of Wellington Place Phase 2, aligns itself far more closely to the objectives of the FAS2 scheme. It is considered that a treatment which remains permanently dry is a more robust solution than one which is designed to flood. It also offers less risk to pedestrians and future occupiers.

9.16 Viaduct Square would have as its focal point the stone end of the Grade II listed viaduct. The proposal to create a structure containing steps and a lift to gain access to the upper level park, to be provided as part of the neighbouring Monkbridge scheme, is carried forward from the extant outline permission and is welcomed in terms of improved pedestrian permeability, access to additional open space and linking the proposed Monkbridge residential scheme to the city centre.

9.17 The riverside walkway would pass through Viaduct Square and would eventually, when all its constituent parts are completed, provide a route all the way from Whitehall Road, through Wellington Place Phase 2 and the former Yorkshire Post site, to Kirkstall Road and beyond. This would open up the waterfront and tie together the surrounding developments, allowing clearly legible routes and access across the site. The new pedestrian footbridge over the River Aire is also to be provided from the riverside walkway and this would link across to the pocket park and City Island as well as providing direct access to the canal towpath and Trans-Pennine Route 66 cycleway. This is again a feature carried over from the extant outline consent and continued commitment to its provision is welcomed.

9.18 As set out in the letter from YP Real Estate, they are also keen to ensure the neighbouring developments joins seamlessly and so, given the willingness of the parties in the area, this would mean that this aspiration is likely to become a reality. These links will be incorporated as obligations in the S106 agreement, as they are for the neighbouring sites.

9.19 A further point made by YP Real Estate is a request for a connection between the former Yorkshire Post site and the application site in the interim, prior to the construction of Building 14 (the closest Wellington Place building to the common boundary). At the moment there are level differences between the application site and the former Yorkshire Post site at the river end of the common boundary. The second connection, set back from the river close to the MSCP entrance, is currently occupied by Wellington Place servicing and refuse storage areas. The opportunity to address these, and the level change, will arise with the development of the MSCP. Therefore, whilst this connection would be welcome, in planning terms, it is not reasonable to insist on this being created in the interim. The residential scheme currently under construction on the former Yorkshire Post site is connected to Wellington Street by its own access route and open space and this is considered by officers to be acceptable in the interim.

9.20 Scale

The proposal is for a range of building heights across the site. The tallest being Building 1 which is described as 20 storeys with a maximum height of 115.6m AOD. This is actually lower than the extant outline approval which is for a maximum of 117m AOD. It is considered that a tall building in this location remains acceptable and would act as the main focal point of the development, being located close to the geographical centre of the site and clearly visible from the site entrance on Wellington Street. The architectural treatment of this building would be the subject of detailed consideration at reserved matters stage. The demolition of the existing building allows a much more efficient use of the site as the current floor space for this building is only 3,345sqm, with the proposed Building 1 potentially comprising 23,443sqm and providing 200 residential units.

9.21 Building 11 fronting Tower Square is proposed to be 9/10 storeys with the other buildings proposed to be up to 12 storeys (all heights are set by AOD levels). These represent the maximum parameters and so the buildings would be no taller than this. These heights remain unchanged from the pre-application panel presentation which Members were supportive of. The parameter plans submitted also indicate that the Wellington Place signature sloping roof line would be incorporated into the future architecture. In this city centre location such height is considered to reflect the existing and emerging context and allows the applicant to respond to the demands of large multi-national companies which require a certain size of footprint and total quantum of floor-space, in order to function.

9.22 The location of the buildings fronting the river allows sufficient space to exist for the successful inclusion of the riverside walkway. The proposed heights, coupled with the varied building line, are considered to produce an acceptable composition when assessed visually along the waterfront with Building 9, which is the final building on Whitehall Road, providing an appropriate 'end stop' to both the water and road frontages. This site already has permission for the location of buildings around its periphery in similar locations to those now proposed. Whilst the buildings proposed are generally taller than those approved as part of the extant outline permission, it is considered that, given the distances away from surrounding properties, the proposal would retain an acceptable impact on the occupiers of these properties. For this, and all of the other reasons set out above, the scale of the proposed buildings is considered to be acceptable.

9.23 Car Parking and Car Park Access Points

Car parking is proposed at both basement level and within the MSCP with a total of 842 spaces proposed on site, including 10% provision of disabled accessible spaces and the provision of EV charge points. Highways Services colleagues have

advised that detailed modelling work undertaken as part of the Transport Assessment demonstrates that the traffic impacts of the development on the wider network would be accommodated satisfactorily subject to the provision of improvements to the local highway network, a number of which would be secured by condition with others provided by a financial contribution to be included within the legal agreement. At the time of writing this report the amount of this contribution was still to be agreed with the applicant. Members will be updated verbally at Panel.

- 9.24 The applicant has provided justification for the number of spaces being included in the MSCP. This comprises the known shortfall from Phase 1 added to the shortfall from the dedicated basement parking in Phase 2. It is important to ensure that the total number of long stay spaces on site does not exceed the maximum allowed by the SPD and that the facility does not become a general long-stay commuter car park in order that it complies with the objectives of CS Policies T1 and T2. Therefore, any difference between the total number of spaces in the MSCP and the maximum justifiable under the SPD guidelines would be used as short stay parking to be controlled by a management plan, details of which would be either a condition or an obligation in the S106 Agreement. These spaces would also provide an important visitor facility for the site when all of the buildings have been constructed and the mixed commercial uses are in place, an objective of CS policy T1.
- 9.25 The MSCP access is proposed to be in the space between the proposed and existing MSCP building. This would be 15m from the boundary with the neighbouring former Yorkshire Post site at its closest point, where the Phase 1 residential scheme is currently under construction. This is also 15m away from the common boundary, making a combined distance of approximately 30m. The location of the car park access has been fixed by the requirement to achieve access from here to the basements of Buildings 9 and 13 to the south. The access has been rationalised since its first submission to create a simple linear 2 way flow. This is within the public realm area, off the loop road, and the details of this would be controlled by condition to ensure that the environment created here is as pedestrian friendly as possible. It is considered that this is sufficient to address the concerns raised in the letter on behalf of YP Real Estate.
- 9.26 The area between Buildings 11 and 12, where the basement car park access to these buildings is to be located, would allow sufficient space to be created around the buildings for pedestrian permeability not to be compromised. Ultimately the rationale for basement car parking is to create a car free surface environment and so these facilities have to be provided somewhere in order to enable this to happen. It is considered that the locations chosen to achieve this within Phase 2 are the best possible and are acceptable.
- 9.27 The proposed loop road gives access to all of the vehicle related access points. It does this in a location which minimises its impact on the surface environment, being located to the north of the main east/west pedestrian route through the site and well away from the riverside. This accords with the objectives of NPPF Section 9. The principle of the loop road in this location is accepted. Highways Services have also accepted that the detailed design of the full loop road can come forward at the stage when it is required. Given the phasing programme submitted it is likely that this would be towards the end of the Phase 2 development.
- 9.28 It is unknown at this stage whether the loop would operate as a Park and Ride terminus as this is out-with the control of the applicant. However, the loop maintains the potential for this facility to be included. WYCA have commented that they would wish any stop here to be attractive, and given the location at the heart of Wellington

Place, this view is shared by officers and the applicant alike. Control over the treatment and appearance of the loop road, as well as the vehicles able to use it, would be the subject of a condition. It is considered that these controls would address the concerns expressed by YP Real Estate.

9.29 Travel Planning

When the development is fully built out the applicant has estimated that 14,000 full time employees would be accommodated on the site. Given the sustainable location of the development within the city centre, the development will be highly accessible by public transport, on foot and by cycle. The Travel Plan commits to delivering high quality travel planning measures to try to influence the move to more sustainable transport modes and continues the regime successfully employed within Phase 1. These include:

- Dedicated long stay cycle parking facilities in the basement of each building
- Car club spaces to be provided on site
- Easy access to rail, bus, cycle and walking infrastructure with supporting facilities and initiatives available, offering staff a variety of choice for commuting.
- Permeable masterplan with excellent pedestrian connections to surrounding facilities and adjacent developments as well as the Trans-Pennine cycle 'Route 66' through the introduction of the 'at-grade' bridge across the River Aire.
- Limited vehicle and servicing movements at surface level to minimise impact on public realm and maximise amenity value of internal spaces.
- Dedicated loop and passenger facility for potential Park & Ride services to serve Wellington Place and the local area, if approved by the relevant authority.

9.30 Residential amenity

All of the residential units are to be provided in Building 1, which is to be located away from the main arterial routes of Wellington Street and Whitehall Road. This building would be adjacent the existing roundabout at Wellington Place and the loop road, which are to the north and south respectively. However, given the low speeds of the traffic at these points, residential amenity is not expected to be impacted by these facilities. The air quality assessment submitted indicates that no air quality objective levels will be exceeded either at the development site or elsewhere as a result of the proposals. Most of the units would either have an open aspect or be raised above the height of the other buildings on the site, affording them good levels of natural light. The applicant has confirmed that the units would meet the Nationally Described Space Standards and CSSR Policy H9. The detailed layout of the units would be established as part of the reserved matters application. However, at this stage of the process it is considered that there are enough assurances in place to ensure the residential amenity of future occupiers would be acceptable in accordance with saved UDP Policy BD5.

9.31 Affordable housing

The applicant is proposing 5% of the total residential units to be provided as affordable housing in line with adopted Core Strategy policy. However, the CSSR is at advanced stage and this sets the level of provision at 7% under Policy H5. Due to the stage at which the CSSR has reached and the fact that policy H5 is not subject to a MM from the Inspector, this policy requirement of 7% is to be afforded significant weight. At the time of writing this report officers were in discussion with the applicant over the level of provision and officers will provide a verbal update at panel.

9.32 Flood Risk

The site falls within Flood Zone 3 and the evidence base for the Draft SAP outlines that such sites are required to meet employment and housing needs over the plan period. The ground floor levels of the buildings are to be at a minimum height A.O.D. which have been set by the Environment Agency and the site is to be protected by FAS2. With these levels of protection in place it is considered that the site would be adequately protected from flood risk.

9.33 Heritage

Policy P11 of the Core Strategy seeks to conserve and enhance the historic environment, particularly the 19th century transport network. The site was formerly home to the Leeds Central Railway Station and its associated goods yards. The Heritage Statement submitted concludes that the development will have a low-moderate impact on the Grade II listed Railway Viaduct and the Lifting Tower, partly because the setting of both sites includes their inter-visibility, which, under this development, would be marginally interrupted. However, the proposal includes a linear open space connecting the two structures, allowing both to be appreciated within a single view. In addition, the development would provide better public access to the two listed structures through the network of new open spaces and pathways, as well as the viaduct access that will be secured through the S106 Agreement.

9.34 The applicant has stated that 'further enhancement might be provided by the creation of interpretation panels, possibly constructed using reclaimed station materials'. These together would have a significant positive impact on the appreciation of the two structures, which can be weighed against any negative impacts on their setting.

9.35 The Grade II listed Monkbridge also sits adjacent the site on Whitehall Road and would form an entrance to the new riverside walkway in a similar way that it does to the existing riverside walkway on the southern side of Whitehall Road. It is considered that the proposal would enhance the setting of this listed structure and is acceptable.

9.36 Officers conclude that the development would have a net positive impact on the listed structures which are located adjacent, but outside, the application site and that this accords with CS policy P11 and the objectives of the NPPF Section 16.

9.37 Bio-diversity

The habitats of greatest ecological value on the site are the original trees and scrub along the eastern bank of the River Aire. These will be retained and this is welcome. Trees will be lost from the surface of the site, however, these were planted by the applicant as a temporary landscape measure when the site was laid out as a surface car park. Their loss will be more than compensated by the creation of bio-diverse habitats through additional tree planting and soft landscaping in the new open space areas proposed across the Phase 2 site. The protection of otters and breeding birds during construction will be controlled by condition and the inclusion of ecological enhancements would be included at the detailed design stage. This approach to retention and enhancement of the bio-diversity characteristics of the site is supported by officers in line with CS Policy G9.

9.38 Sustainability

The application is seeking to achieve BREEAM excellent for the commercial plots. Energy consumption will be reduced through high standards of building fabric, low levels of air leakage and efforts will be made to increase the thermal mass of each building. Energy will be used efficiently and an 'intelligent controls' strategy will be

used in each building. Heat recovery will be employed on mechanical ventilation systems and LED lights will be used. This accords with the objectives of CS policies EN1 and EN2 and the wider sustainability objectives of the NPPF. The applicant has a demonstrable track record of producing energy efficient buildings that exceed the requirements of current policy and the continuation of this approach for this second phase of Wellington Place is fully supported by officers.

9.39 Planning obligations

From 6th April 2010 guidance was issued stating that a planning obligation may only constitute a reason for granting planning permission for development if the obligation is all of the following:

- (i) necessary to make the development acceptable in planning terms. Planning obligations should be used to make acceptable development which would otherwise be unacceptable in planning terms.
- (ii) directly related to the development. Planning obligations should be so directly related to proposed developments that the development ought not to be permitted without them. There should be a functional or geographical link between the development and the item being provided as part of the agreement.
- (iii) fairly and reasonably related in scale and kind to the development. Planning obligations should be fairly and reasonably related in scale and kind to the proposed development.

According to the guidance, unacceptable development should not be permitted because of benefits or inducements offered by a developer which are not necessary to make development acceptable in planning terms.

9.40 Further to the above, the following matters are emerging which would form part of a Section 106 Agreement to be concluded with the applicants:

- Affordable housing to be provided on site including standard fallback clause
- Provision of pedestrian link to viaduct public open space
- Public access to open space area to be accessible 24 hours
- Maintenance of public open space areas
- Footbridge across the River Aire
- Contribution to off-site highways works (amount to be agreed)
- Residential Travel Plan Fund (£250.25 per dwelling)
- Connection and location points to former Yorkshire Post site
- £19,000 Car Club Trial Fund
- Car Park Management Plan
- Employment and training opportunities

9.41 CIL

The proposal would be subject to the Community Infrastructure Levy (CIL). CIL contributions are calculated at reserved matters stage when the actual floorspace and uses are known. However, in order to give Members an indication of the likely CIL contribution, the current floor space set out in the description of development at para 3.5 above would result in a figure of £3.5m. This is for information only and in this case is not a material planning consideration in the assessment of the overall planning application and the decision making process.

10.0 CONCLUSION

- 10.1 Paragraph 11 of the NPPF notes the presumption in favour of sustainable development which for decision taking means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or specific policies in the Framework indicate development should be restricted.
- 10.2 Wellington Place is currently being developed on site and the quality of the architecture and materials is accepted as being very high. Officers consider that there is a rationale to amend the originally approved layout in order to give the applicants the flexibility they require to attract other high quality office tenants and, more widely, deliver the intended 'vision' for the wider site.
- 10.3 Over time it is clear that Wellington Place has become an office destination, with residential uses being distributed across the sites to the south-west of the river corridor. With the connectivity which is proposed through the viaduct link and the low level footbridge, links to the wider community will be established and the ability of the population to access this place of employment made much easier.
- 10.4 The proposal has sufficient references back to the existing permission to mean that it will sit well with its neighbours, with the height, massing, angular plan forms and raking roof slope being motifs of the wider scheme.
- 10.5 Taking into account all material considerations, this is a sustainable development in a central location that will contribute to improving the local environment, as well as offering economic and amenity benefits and significant weight is attached to these features of the scheme. The proposal is considered to be in accordance with the Development Plan, as well as local and national planning policy, as described above. It is recommended that outline planning permission be granted subject to the conditions set out at Appendix 1 and the planning obligations outlined at the head of this report.

BACKGROUND PAPERS:

Pre-application file: Wellington Place Phase 2:	PREAPP/18/00633
Application file: Outline approval Wellington Place Phase 1:	06/06824/OT
Application file: reserved matters for WP Buildings 7&8:	16/06523/RM
Application file: reserved matters for WP Building 4:	17/07823/RM
Application file: Outline permission for Yorkshire Post site	14/05976/OT.
Application file: reserved matters for YP 1 st phase	16/07088/RM.
Application file: Hybrid application for Monkbridge residential scheme	16/07714/FU
Application file: reserved matters for Monkbridge 2 residential buildings	18/02565/RM

DRAFT

Applicant: Hermes Wellington Place Site 2 GP Limited Application Number: 18/07929/OT

Agent: CBRE - Leeds
Mr O Freer
6th Floor
Toronto Square
Toronto Street
Leeds
LS1 2HJ

Proposed Development At: Wellington Place, Leeds, LS1 4AP,

Proposal: Outline planning application with all detailed matters reserved, with the exception of means of access, to be implemented in phases, for a multi-level mixed use development, including the demolition of existing office building, totalling up to 150,407 sqm gross external area of development comprising office floor space (B1 a); hotel use (C1) residential use (C3); and other uses including all or some of the following; retail, leisure, health and community uses (use classes A1, A2, A3, A4, A5, D1 and D2); car parking (including basement and a multi-storey car park (Sui Generis)); new public spaces; hard and soft landscaping; cycle parking; access; servicing; and other associated infrastructure and engineering works

- 1) A phasing plan for the development showing the anticipated sequencing of the various aspects of the development shall be submitted to and approved in writing by the local planning authority prior to the submission of any application for the approval of reserved matters or any application for the approval of details required by conditions on this permission. The sequencing of the development shall thereafter be carried out in accordance with the submitted plan, unless otherwise approved in writing by the local planning authority, and any reference to `phase` or `phases` in the conditions below shall refer to the phases detailed in the plan thereby approved.

In order to accord with the provisions of the Leeds Core Strategy, Saved Policies of the Leeds Unitary Development Plan Review and the Leeds Natural Resources and Waste DPD, in the interests of amenity, visual amenity, the provision of affordable housing, pedestrian connectivity, highways safety, sustainable development, and in order that the Local Planning Authority is informed of the phasing in order that the relevant sections of the conditions may be discharged.

- 2) Development shall not commence on any phase of the development until approval of the following details (hereinafter referred to as the reserved matters) shall be obtained from the Local Planning Authority,
 - a. Layout (including car parking provision)
 - b. Appearance
 - c. Landscaping (including temporary treatment of future phases)
 - d. ScalePlans and particulars of the reserved matters shall be submitted utilising a planning application form and shall be carried out as approved.

Because the application is in outline only and as no details have been submitted of the reserved matters, they are reserved for subsequent approval by the Local Planning Authority

- 3) Application for approval of reserved matters for the first phase of development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. Application for the approval of reserved matters for each subsequent phase of development shall be made within two years of the approval of reserved matters for the previous phase.

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

- 4) The first phase of the development hereby permitted shall be implemented either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later. Subsequent phases of development shall be implemented before the expiration of two years from the date of approval of the last of the reserved matters to be agreed for that phase whichever is the later.

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

- 5) 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.

- 6) The total floorspace of Use Class A1 shall not exceed 200sqm across the entire application site unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that the site does not compete with the Primary Retail Quarter as identified in the adopted Leeds Core Strategy

- 7) Prior to the commencement of works above the ground floor slab within each plot (or part therein, but excluding demolition and site clearance), sample panels of all external walling and roofing materials and the external treatment of hard surfaced areas in respect of that plot (or part therein) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be constructed in accordance with the approved details.

In the interests of visual amenity and the character of the surrounding area and the setting of nearby listed buildings.

- 8) Construction of external walling shall not be commenced for each phase of development until a sample panel of all the materials to be used in the external walling for that phase has been approved in writing by the Local Planning Authority. The sample panel shall be erected on site to establish its detail including junctions between materials and jointing and pointing. The external walling for that phase shall be constructed in strict accordance with the sample panel(s) which shall not be demolished prior to the completion of that phase of the development.

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

- 9) 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'.

- 10) 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.

- 11) 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.

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

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

- 13) Prior to the commencement of demolition documentation demonstrating the absence or total removal of asbestos from any building(s) to be demolished shall be submitted to and approved in writing by the Local Planning Authority. Should documentation be unavailable or insufficient, post-demolition surface soil sampling of future landscaped or garden areas shall be carried out and the results shall be submitted to and approved in

writing by the Local Planning Authority prior to the commencement of any post-demolition development.

Where surface soil sampling indicates remediation to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

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 that phase of the site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

To ensure that the site is safe and suitable for use

- 14) The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (ref 25 January 2019/068605-CUR-00-XX-RP-C-001, Revision 02/Curtins Consulting Limited) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 30.500m above Ordnance Datum (AOD) for residential development, 30.056mAOD for commercial development and 29.959mAOD for basement parking areas.

The building footprints will be no greater than that approved under the implemented site wide outline planning permission (Leeds City Council reference P/06/06824/OT) that was granted approval on 31st March 2008.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

To reduce the risk of flooding to the proposed development and future occupants and to ensure there will be no increased risk to others due to displaced flood waters.

- 15) No building or other obstruction including landscape features shall be located over or within :

i) 6.5 metres either side of the centre lines of each of the 1500 mm diameter, 1448 mm diameter, 900 mm diameter, 800 mm diameter, 762 mm diameter and 750 mm diameter public combined sewers i.e. protected strip widths of 13 metres per sewer;
ii) 5 metres either side of the centre lines of each of the 600 mm diameter and 450 mm diameter public foul water sewers i.e. protected strip widths of 10 metres per sewer; and
iii) 3 metres either side of the centre lines of the 225 mm diameter public foul water sewer i.e. a protected strip widths of 6 metres per sewer that cross the site. If the required stand-off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken .

Furthermore, no construction works in area(s) of the site where sewerage is to remain in situ shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority . The details shall

include but not be exclusive to the means of ensuring that access to the sewers for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times .

(To protect public health and in order to allow sufficient access for maintenance and repair work at all times)

- 16) The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage

- 17) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority .

Reason: to ensure that the site is properly drained and in order to prevent overloading , surface water is not discharged to the foul sewer network

- 18) Development shall not commence until a scheme detailing surface water drainage works has 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 the approved phasing details.

To ensure sustainable drainage and flood prevention in accordance with policies GP5, N39A of the adopted Leeds UDP Review (2006) and PPS25.

- 19) No development shall be brought into use/occupied until a SUDS management and maintenance plan for the lifetime of the development, including arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme, has been submitted to and approved in writing by the Local Planning Authority.

To ensure sustainable drainage and flood prevention in accordance with policies GP5, N39A of the adopted Leeds UDP Review (2006) and PPS25.

- 20) Further wind mitigation studies shall be submitted in writing to the Local Planning Authority with each Reserved matters application. Quantitative wind tunnel testing will form part of the further wind mitigation study for Plots 1, 9, 13 and 14. A qualitative desk based assessment will be acceptable for plots 11 and 12. The further studies shall set out a programme for the implementation of any mitigation works required to provide a safe wind environment around each building and provide for planting and/or other measures to be established prior to the completion of the building. Any mitigation measures that may be identified within the studies shall be implemented prior to the occupation of the building (or another timescale that may be agreed with the Local Planning Authority) and in accordance with the approved details. The approved mitigation works shall be retained during the lifetime of the development, unless alternative mitigation works are approved and implemented as part of a subsequent planning application.

To ensure a satisfactory wind environment around each building and high quality public realm throughout the site for users of the building and visitors to the surrounding area in accordance with local policy

- 21) Development shall not be occupied until a Car Park and Servicing Management Plan (inc. timescales) has been submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented and operated in accordance with the approved timescales. The plan shall include measures to manage car parking spaces to ensure that spaces are either used for long stay parking for the site up to allowed by policy and any excess are used only for public short stay parking.

To ensure parking levels on site comply with the city council's parking strategy

- 22) Building works shall not commence until details of cycle/motorcycle parking and facilities have been submitted to and approved in writing by the Local Planning Authority. Details shall include the method of securing the cycles and their location, provision of showers and storage lockers. The approved cycle/motorcycle parking and facilities shall be provided prior to occupation of the development and thereafter be retained for the lifetime of the development.

In the interests of highway safety.

- 23) No construction works shall begin on any phase of development until a Statement of Construction Practice for that phase 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) location of site compound and plant equipment/storage;
 - d) how this Statement of Construction Practice will be made publicly available by the developer.
 - e) location of access and egress from the site and management of vehicle movements entering and exiting the site
 - f) car parking for contractors staff and operatives

The approved details shall be implemented at the commencement of construction work on site, 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 residential amenity of occupants of nearby property in accordance with adopted Leeds UDP Review (2006) policy GP5 and the National Planning Policy Framework.

- 24) Prior to occupation of any building the vehicular access from which it is served shall be completed in accordance with drawings Whitehall Road Access Arrangement 3581 019 200 D and Wellington Place Access 3581/019/100 Rev A. Prior to occupation of the Multi Storey Car Park a vehicular link shall be provided through the site to connect the car park to Whitehall Road and Wellington Place. The link shall only be available for users of the site and the car park. Prior to occupation of the first building on the site the off site works on Whitehall Road shown on drawing Access Arrangement 3581 019 200 D shall be completed.

To ensure the free and safe use of the highway during all development works and throughout the lifetime of the development.

- 25) Prior to occupation of the development details of works comprising the cycletrack, footway, bus stop and pedestrian crossing on Whitehall Road shown on drawing Access Arrangement 3581 019 200 D shall be submitted to and approved in writing by the Local Planning Authority and shall have been fully implemented.

To ensure the free and safe use of the highway during all development works and throughout the lifetime of the development.

- 26) Prior to the commencement of construction works, details of Electric Vehicle Charging Points and cable enabled parking spaces to be provided shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to first occupation of the development and thereafter retained in accordance with the approved details

In the interests of promoting sustainable travel opportunities

- 27) Prior to any works that affect the wall retaining Whitehall Road along the site boundary, details of the works shall be submitted and agreed with the local planning authority.

To ensure the free and safe use of the highway during all development works and throughout the lifetime of the development.

- 28) No development shall take place for each phase of development, in respect of the works to which this condition relates, until details of a sound insulation and ventilation scheme which shall set out the method by which:

(i) occupiers of that phase will be protected from noise emitted from nearby roads and/or commercial premises

(ii) habitable rooms can be effectively cooled and rapidly ventilated without the need to open windows,

have been submitted to and approved in writing by the Local Planning Authority. The units in that phase shall not be occupied until the approved scheme has been completed and shall thereafter be retained on site.

To protect the amenity of residential occupiers of the flats in the upper floors from surrounding commercial property.

- 29) No 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 for each phase of development. 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 any items of archaeological importance are recorded

- 30) Prior to the erection of any walls, fences or permanent boundary treatments in each phase of development, details of the position, design, materials and type of all walls and/or fences or permanent boundary/screening treatment for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such walls, fences and boundary treatments shall be erected in accordance with the approved details,

before the land/buildings to which they relate are occupied, and shall thereafter be retained.

In the interests of visual amenity, in accordance with Leeds UDPR Policies GP5 and LD1, Leeds Core Strategy Policy P10 and the NPPF

- 31) Prior to the commencement of landscaping works in each phase of development full details of both hard and soft landscape works, including an implementation and maintenance programme, shall be submitted to and approved in writing by the Local Planning Authority for that phase. Hard landscape works shall include:
- (a) proposed finished levels and/or contours
 - (b) vehicle and pedestrian access and circulation areas,
 - (c) hard surfacing areas,
 - (d) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.),
 - (e) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.).

Soft landscape works shall include:

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

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme, British Standard BS 4428:1989 Code of Practice for General Landscape Operations and maintained in accordance with the maintenance programme.

The developer shall complete the approved landscaping works for each phase and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds Core Strategy Policy P12, Saved Leeds UDP Review (2006) policies GP5 and LD1, Leeds Natural Resources and Waste DPD, and the NPPF.

- 32) No part of any phase of development shall be occupied until all areas shown on the approved plans to be used by vehicles in that phase have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.

To ensure the free and safe use of the highway in accordance with adopted Leeds Core Strategy Policy T2 and Street Design Guide SPD (2009).

- 33) Construction activities shall be restricted to 08.00 to 18.00 hours Monday to Friday and 09.00 to 13.00 hours on Saturdays with no works on Sundays and Bank Holidays.

In the interests of amenity of nearby residents

- 34) Details of a sound insulation scheme designed to protect the future occupants of the proposed accommodation from noise emitted by nearby sources and to protect sensitive receptors from noise emitted from the development shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development. The approved works shall be completed prior to first occupation of the development and shall thereafter be retained. The scheme shall also include a ventilation strategy, which provides for the adequate control of room comfort, where windows will need to remain closed to meet the internal noise level targets.
- The scheme shall achieve internal residential noise levels of no higher than noise rating NR20 in bedrooms between 23.00 and 07.00 and NR25 in all habitable rooms between 07.00 and 23.00.
- Any proposed entertainment uses shall control noise so that the LAeq of entertainment noise does not exceed the representative background noise level LA90 (without entertainment noise), and the LAeq of entertainment noise will be at least 3dB below the background noise level LA90 (without entertainment noise) in octaves between 63 and 125Hz when measured at the nearest noise sensitive premises.
- Any proposed plant and machinery operated from the site shall limit noise to a level no higher than the existing background noise level (L90) when measured at noise sensitive premises, with the measurements and assessment made in accordance with BS4142:2014. The rating level shall include the addition of any character corrections as appropriate. If the character is unknown at the design stage or cannot be evidenced then a penalty of 5dB should be applied to take into account of potential corrections
- Prior to occupation, a post completion sound test to confirm compliance with specified criterion shall be submitted for approval. In the event that sound levels exceed the specified limits, the applicant shall undertake corrective action and re-test. Once compliance can be demonstrated the results shall be re-submitted for approval.

On the interests of amenity of occupiers of the development and occupiers of properties in the vicinity of the development.

- 35) Deliveries to and from the premises, including loading and unloading, shall be restricted to 08.00 to 20.00 hours Monday to Saturday and 09.00 to 18.00 hours on Sundays and Bank Holidays.

In the interests of amenity of occupiers and surrounding occupiers

- 36) Unless otherwise agreed in writing by the Local Planning Authority the operating hours of A1, A2, A3, A4, A5 uses shall be restricted to 08.00 to 23.00 hours Monday to Saturday and 10.00 to 22.00 hours on Sundays and Bank Holidays.

In the interests of amenity of occupiers and surrounding occupiers

- 37) Details of any external extract ventilation system for commercial food premises shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the system shall be installed and maintained in accordance with the approved details and retained for the lifetime of the development.

In the interests of occupiers of the development and surrounding occupiers

- 38) Each phase of development shall be constructed in accordance with the sustainable design and construction principles set out in a document to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase of development.

To ensure the adoption of appropriate sustainable design principles in accordance with Leeds Core Strategy Policies EN1 and EN2, Leeds SPD Sustainable Design and Construction and the NPPF.

- 39) Prior to occupation of each phase, details for the provision of bin stores (including siting, materials and means of enclosure) and (where applicable) storage of wastes and access for their collection for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full before the use commences and shall be retained thereafter for the lifetime of the development.

To ensure that adequate provision for bin storage is made and in the interests of visual and residential amenity, in accordance with Leeds UDPR Policy GP5, Leeds Core Strategy Policies T2 and P10 and the NPPF.

- 40) Prior to the commencement of development a Construction Environmental Management Plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the LPA. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of "biodiversity protection zones"
 - c) Measures to avoid or reduce impacts during construction
 - d) Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds
 - e) The times during construction when specialist ecologists need to be present on site to oversee works
 - f) The role of a responsible person (Ecological Clerk of Works) and lines of communication
 - g) Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the LPA.

In order to ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013.

- 41) Prior to the commencement of development a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the LPA. The Plan shall include details of the following:
- a) Description and evaluation of features to be managed and enhanced
 - b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans
 - c) Ecological trends and constraints on site that might influence management
 - d) Aims and Objectives of management
 - e) Appropriate management Actions for achieving Aims and Objectives

- f) An annual work programme (to cover an initial 5 year period)
- g) Details of the specialist ecological management body or organisation responsible for implementation of the Plan
- h) Ongoing monitoring programme and remedial measures
- i) For each of the first 5 years of the Plan, a progress report sent to the LPA reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period
- j) The Plan will be reviewed and updated every 5 years and implemented for perpetuity

The Plan shall include details of the legal and funding mechanisms by which the long-term implementation of the Plan will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery. The Plan shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved Plan. The approved Plan will be implemented in accordance with the approved details.

In order to ensure the long-term protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013.

- 42) Prior to commencement of development a Lighting Design Strategy For Bats shall be produced by an appropriately qualified ecological consultant and submitted to and approved in writing by the LPA. The Strategy shall:
- a) Identify those areas/features on site that are "particularly sensitive for commuting and foraging bats" - using an appropriately scaled map to show where these areas are
 - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb commuting and foraging bats
- All external lighting shall be installed in accordance with the specifications and locations set out in the Strategy, and shall be maintained thereafter in accordance with the Strategy. Under no circumstances should any additional external lighting be installed without prior consent from the LPA in the areas identified in the Strategy as "particularly sensitive for commuting and foraging bats".

In order to safeguard a protected species (bats) in accordance with protection and enhancement of biodiversity in accordance with Core Strategy Policy G8 and G9, NPPF and BS 42020:2013

- 43) The details submitted pursuant to condition 2 above shall demonstrate how the development shall comply with policy H4 of the adopted Core Strategy with regard to achieving an appropriate housing mix.

To provide a sustainable form of development that meets the requirements of Policy H4 of the Core Strategy.

- 44) The details submitted pursuant to condition 2 above shall demonstrate how the development shall comply with policy H9 of the Core Strategy Selective Review with regard to meeting relevant space standards.

To provide an appropriate layout for the amenity of residents.

- 45) The details submitted pursuant to condition 1 above shall demonstrate how the development shall comply with policy H10 of the Core Strategy Selective Review with regard to achieving an accessible and adaptable housing.

To provide a sustainable form of development that meets the requirements of Policy H10 of the Core Strategy Selective Review.

- 46) The development hereby approved shall not exceed the following maximum GEA floorspace (Gross External Area, as defined by the RICS Code for Measuring Practice 6th edition May 2015):

76,783 sqm office floorspace (use class B1a)

23,443 sqm residential floorspace (use class C3)

12,868 sqm hotel floorspace (use class C1)

4,608 sqm flexible uses including retail (use class A1); financial and professional services (use class A2); restaurants and bars (use class A3 and A4); hot food takeaway (use class A5); business floor space (use class B1); non-residential institution (use class D1) assembly and leisure (use class D2)

In order to ensure that the developed scheme does not exceed the floor spaces which have been used to assess the impact which this proposal will have on its surroundings, including the neighbouring buildings, local retail centres and the local highway network.

Plans Schedule :-

Plan Type

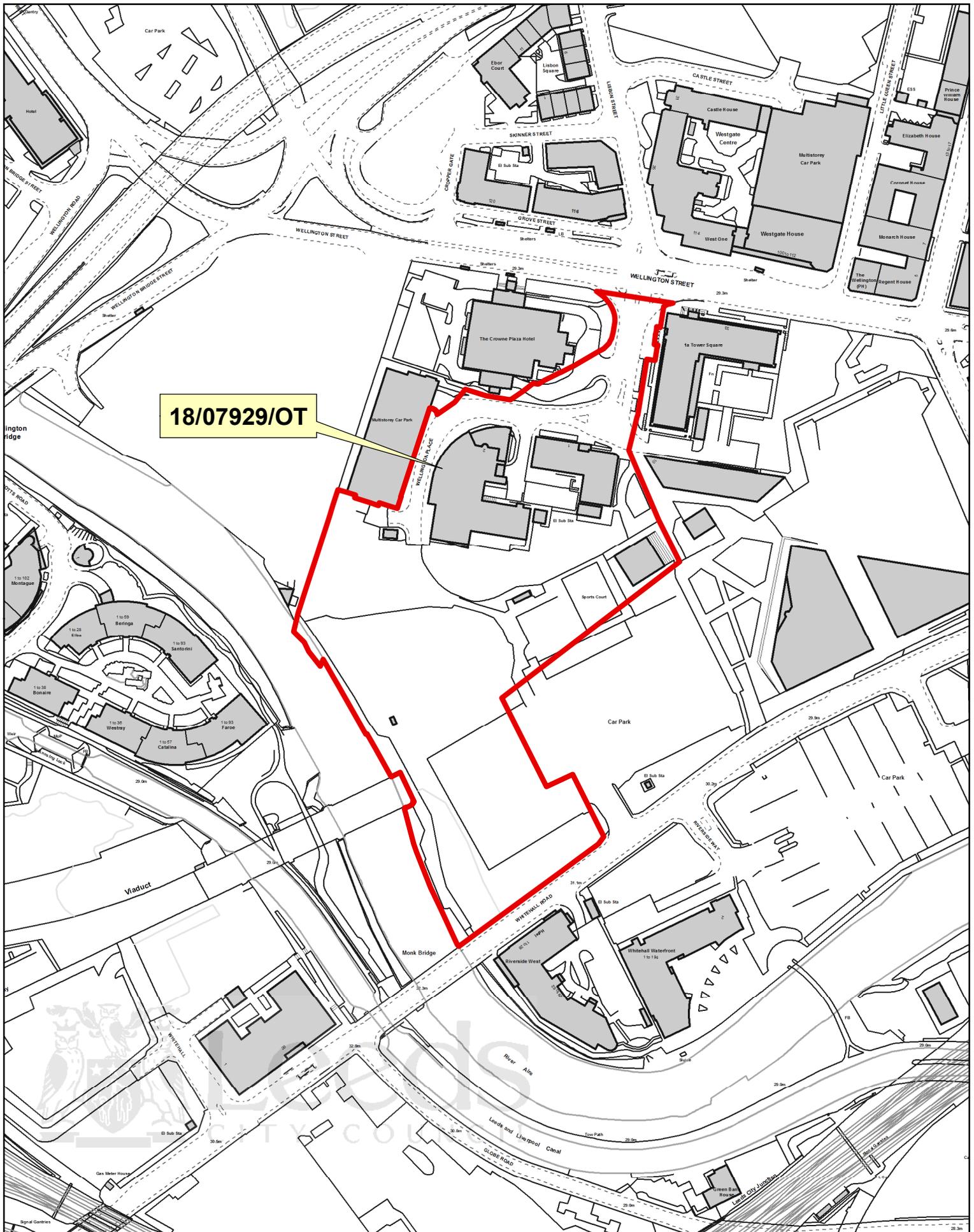
Plan Reference

Received

Reason(s) for granting consent:-

For information:-

Further information regarding rights of appeal, removing site notices etc will appear from this point forward on the final decision notice when it is produced.



18/07929/OT

CITY PLANS PANEL

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

SCALE : 1/2500



