

Plans Panel (City Centre)

Thursday, 16th July, 2009

PRESENT: Councillor M Hamilton in the Chair

Councillors D Blackburn, Mrs R Feldman,
T Hanley, G Latty, J Matthews, J McKenna
and E Nash

9 Chair's opening remarks

The Chair welcomed everyone to the meeting, particularly Councillor Matthews who was substituting for Councillor Monaghan and asked Members and Officers to introduce themselves

10 Declarations of Interest

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 09/01742/FU – Trinity West Albion Street LS1 – Councillor Hanley declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals and had raised objections to elements of the scheme (minute 13 refers)

Application 09/02351/FU – The Orange Zone car park – University of Leeds – Councillor Hanley declared a personal interest as a member of Leeds Civic Trust which had commented on the proposals (minute 14 refers)

Application 09/02351/FU – The Orange Zone car park – University of Leeds – Councillor Hamilton declared a personal and prejudicial interest through his employment at Leeds University who are the applicants (minute 14 refers)

Application 09/02351/FU – The Orange Zone car park – University of Leeds – Councillor Nash declared a personal interest as a member of English Heritage which had commented on the proposals (minute 14 refers)

11 Apologies for Absence

Apologies for absence were received from Councillor Monaghan

12 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 18th June 2009 be approved

13 Application 09/01742/FU - Demolition of two link bridges, erection of new link bridge containing retail floorspace (A1/A3), retail extension to western side of Albion Street (A1/A3), alterations to elevations on Albion Street and Bond

Street and relocation of main retail centre entrance - Trinity West - Albion Street/Bond Street LS1

Plans, photographs, graphics and palette of sample materials were displayed at the meeting

Officers presented the report for a major refurbishment of the Leeds Shopping Plaza which would be renamed as Trinity West, to link into the approved Trinity East scheme

A series of pre-application presentations and workshops had been undertaken on this scheme. A site visit had taken place on 8th January 2009 and the last, informal, presentation to Members had taken place in March 2009

The Panel was advised that in line with Members' views at the presentation held on 9th October 2008, (minute 55 refers) the proposals relating to Boar Lane/Lower Basinghall Street would be dealt with as a separate application due to the unresolved issue of the bus stop facility on Boar Lane

Members were informed that the first phase of the proposals for a complete refurbishment of the building would involve:

- the demolition of the Boar Lane escalator and stairs
- demolition of the two link bridges and the construction of a new, glazed bridge which would also include A1/A3 retail units
- glazed extensions to the western side of Lower Albion Street, including the provision of a terraced area on top of the extensions, possibly with a 'green' wall which would help to animate this elevation
- provision of low granite stall risers to address the gradient of Albion Street, this feature which would also double as benches would assist in the maintenance and cleansing of the spaces between the projecting bays and would provide a continuous strip, so aiding visually impaired pedestrians
- minimising street clutter by providing wall mounted street lighting
- removal of the mirror glass to the Bond Street/Albion Street corner and its replacement with large clear glazed windows which would wrap around the corner and continue for 30m along the Bond Street elevation
- replacement of the cladding at the Bond Street elevation with metal cladding in a saw tooth design which would be illuminated to add visual interest
- provision of a new entrance to Trinity West which in addition to creating a more prominent presence and focus than currently exists, would enable the internal level changes to be reduced
- provision of a unifying steel ribbon motif which would serve a variety of functions within the scheme

If minded to approve the application in principle, an additional condition was suggested to ensure the glass slot on the bridge was maintained free of fittings and furniture

Members commented on the following matters:

- that the floor of the bridge should be totally glazed to help create the lightness and transparency which was required
- the difficulty in visualising the proposals from the images shown and that a model or photographic images of the development within the

retained streetscene should have been provided to assist the Panel in their deliberations on the formal application

- that the removal of one bridge within the scheme was welcomed
- the challenging nature of the proposals due to the existing building and that the development could help to regenerate and enhance this area of the city centre
- the need for detailed consideration to be given to the highway signage in this area to ensure this does not unnecessarily cause street clutter

Officers provided the following responses:

- that the use of solid areas within the bridge floor could be due to structural reasons and to address issues of perception, in that some people might not be comfortable walking across a totally glazed bridge and that by providing a solid element to walk across, the bridge could be accessible to everyone. However, it was agreed that the comments made on this matter could be referred back to the applicant for consideration
- that the provision of photographs with proposals super-imposed upon them were extremely expensive and were not amongst the list of documents Officers could request in order to validate planning applications. Whilst developers were recommended to provide such images they could not be insisted upon

Members expressed their thanks to Officers for the work they had undertaken on this scheme and to the developers for their willingness to take on board comments made by Members at the pre-application stage

RESOLVED - To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer subject to the conditions specified in the submitted report, plus an additional condition relating to the glass slot on the bridge which should be maintained free of fittings and furniture (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of the resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

- i) contribution to resurfacing works to Albion Street
- ii) local employment initiatives
- iii) to allow street lighting to be located on the building

14 Position statement for application 09/02351/FU - Erection of an 8 storey building to form University Business and Innovation Centre with cafe and landscaping at the Orange Zone Car Park - University of Leeds - off Woodhouse Lane LS2

Prior to consideration of this item, having declared a personal and prejudicial interest, Councillor Hamilton announced his intention to withdraw from the meeting. Councillor Latty was proposed, seconded and elected to chair this item

(Councillor Hamilton withdrew from the meeting)

Councillor Latty in the chair

Plans, drawings and precedent images were displayed at the meeting. Members had previously received two informal pre-application presentations on the

scheme, the second one showing significant revisions to the scheme following Members' comments

The Central Area Planning Manager introduced the position statement and explained that this was the next process prior to the formal application being brought to Panel for determination

The Panel was informed that the proposals were for an innovative building on a key landmark location which would provide a centre for excellence in terms of innovation, creative thinking and networking. The brief for the site required it to comply with the University Strategic Development Framework and that the building had to be an exemplar in terms of sustainability and needed to provide maximum internal flexibility. The scheme was a joint venture between Leeds University, Leeds Metropolitan University, Leeds City Council and Leeds Teaching Council Trust and it was hoped that the scheme would secure funding from the European Regeneration Development Fund and Yorkshire Forward

The proposals would involve the loss of 92 trees and that a detailed tree survey had been carried out which had concluded that many of these trees were stressed. As part of the landscaping proposals for the development, 53 new trees would be planted

The eight storey building would feature innovative glazed louvres which as well as providing visual interest, would deal with solar gain. These glass louvres which could be coloured and of different finishes, ie etched, fritted, would be of different depths and arranged to track the sun path diagram across the site. It was hoped that the use of photovoltaics on the roof deck would power the louvres as they moved during the day. The louvres would be arranged vertically apart from on the south elevation where, to provide maximum solar shading, the louvres would be arranged horizontally

The facilities proposed within the building would include a media theatre and video conferencing, an innovation suite, networking spaces, café and combined enterprise and innovation offices

Members were informed that Yorkshire Water was satisfied with the proposals and only required the standard drainage conditions to be applied

Comments from the Leeds Civic Trust had been received and these offered qualified support for the proposals. The Central Area Planning Manager stated that the full comments would be included in the Officer's report with the formal recommendation

Several concerns had been raised by Highways, including the loss of 209 surface car parking spaces on the site; the requirement for a toucan crossing on Woodhouse Lane, works to Fenton Street, temporary alternative car parking provision and sum of £20,000 for possible TROs. These matters were currently being discussed with the applicant, together with minor modifications to the Green Travel Plan. In addition a proposed multi-storey car park to the west of the City Innovation building was being progressed, with detailed pre-application negotiations being carried out with the applicant. If both schemes were approved, it was possible that the multi-storey car park would be erected prior to the City Innovation development

Members commented on the following matters:

- whether any New Generation Transport stop was proposed close to the development
- highways issues particularly the potential for further pressure on the A660 and whether the phasing of the scheme could have implications

- that the introduction of colour to the glazing was vital for the success of the building
- that the development would help in the regeneration of this area
- that previous discussions on the proposals had led to the suggestion that wind patterns could provide an audible signature to the building and that whilst this had not been referred to, that investigations into the possibility of this should be undertaken

Officers provided the following responses:

- that if the scheme was approved, a public transport contribution would be sought as part of a S106 agreement and this would be focussed towards NGT
- that suggested phasing had been provided by the applicant's highways consultants and that if both schemes were approved, the construction of the car park would commence first
- that the proposed colouration of the glass louvres would be brought back to Panel along with the formal recommendation of the application
- whilst noting the points raised regarding the use of the wind pattern to create sound, it was stated that tests would be needed to ascertain the feasibility of this

RESOLVED -

- (i) To note the report and the comments now made
- (ii) That details of the proposed tree planting be provided to Councillor Nash for information

15 Leeds Flood Alleviation Scheme (FAS) and the FAS Design Guide and Vision

Councillor Hamilton returned to the meeting and resumed the chair

Plans, photographs and graphics were displayed at the meeting

Members considered a report of the Chief Planning Officer providing details on proposals for a flood alleviation scheme for the River Aire through Leeds and the associated draft Design Guide and Vision. A presentation of the proposals had taken place at the Joint Plans Panel meeting held on 1st June 2009 and a copy of the draft minutes from that meeting were appended to the report for information

Members received a presentation of the proposals from the Chief Highways Officer and representatives of the Environment Agency

Members were informed that there were no formal flood defences for the River Aire and that over 4000 residential and business properties were at risk, with the direct costs of flooding being in the region of £400m. Along with homes and businesses the transport infrastructure could be seriously affected by flooding, particularly Leeds railway station. The city had experienced a series of floods since 2000 and the effect of climate change could increase the frequency

The proposals were for a major investment to protect Leeds through the implementation of a 19km length scheme which would use a variety of raised defences. Public consultation had ended on 3rd July with considerable support being received both for the need for flood defences and that a combination of proposals would be required

Members were informed that the proposals had not yet received Government funding or approval and as it was a relatively marginal scheme it would need to be

considered on 'Value for Money' rules, with the best standard of protection being provided which could be achieved for the funding which was made available

A further report would be presented to the Council's Executive Board in August 2009

Alternative options had been considered and these were outlined to Members:

- upstream storage – with a site in Rodley being considered. Whilst this was unlikely to be cost beneficial, if additional funding was made available this scheme could be undertaken
- alleviation channel – this would benefit the city centre and modelling had been done which confirmed this would reduce the flood peak. However this would be particularly expensive; require major works including the creation of a 28m by-pass and would not prevent the need for raised defences
- land management techniques – however research had indicated there was no evidence that this was an effective tool in managing flood risk

The Panel was shown detailed plans of the proposals for the Leeds FAS in relation to areas within the remit of Plans Panel City Centre and was informed that the scheme would need to work on several levels, including environmentally and aesthetically

Detailed information was provided on the proposals in relation to the following sites:

- Wellington Bridge – a new wall defence which would also utilise the existing wall
- The Beach – a recently approved development which would incorporate a flood defence
- The Dark Arches – with existing walls being utilised and raised in height
- Victoria Bridge and Leeds Bridge (left bank) – use of existing walls plus infilling
- Sovereign Place – a key site – with the raising of ground levels being considered and the use of terracing and seating to blend defences into the landscape
- Asda building – defences consisting of a new wall and planters
- Leeds Bridge to Crown Point Bridge (left bank) – vents of underground car park to be blocked up
- Leeds Bridge to Crown Point Bridge (right bank) – ground levels to be raised and new defence walls at Brewery Wharf
- Crown Point Bridge to Rose Wharf (left bank) – wall defences in this location with existing buildings being utilised and gaps being filled in
- Turlow Court – ground levels to be raised considerably with the possibility of creating steps down to the properties where currently there are steps up to them
- Fearn's Wharf – defences would tie into existing buildings and new walls would be provided
- Crown Point Bridge to Rose Wharf (right bank) – walls to be erected in front of the Royal Armouries and gates being considered
- Rose Wharf to Atkinson Hill footbridge – defences to be positioned behind the Lockkeepers Cottage and wall defences to the student flats

Members commented on the following matters:

- that the presentation represented the Panel's first opportunity to look at the proposals in detail and that when applications came forward a site visit and possibly a session devoted to the scheme would be necessary
- whether current landowners were expected to fund some of the necessary work in the same way that developers were being required to incorporate defences into new schemes
- the need to relate the sum of money required for the scheme to the huge number of the city's assets which would be protected and also to consider the impact of flooding on a human scale in relation to the funding needed to help prevent this occurring
- the fall back position in the event of the funding not being provided
- the need to have regard to the number of Listed Buildings in the area which would be affected by the proposed defences
- whether contributions towards flood alleviation could be sought from developments in the same way that public transport funding could be requested
- that flooding also occurred on becks and streams and that these would need consideration also rather than focussing solely on the River Aire
- some satisfaction that the defences were not as high as had been expected, particularly in some areas, although concerns remained where the defences were required to be so high that they impacted on the open aspect of nearby properties
- that in some cases it might be necessary to allow properties to be affected in order that the impact of the flood defences can be minimised
- that the use of the relatively unobtrusive flood defence system which automatically raises to provide a barrier of predetermined height should be investigated

The following responses were provided:

- regarding funding, that the Environment Agency (EA) would apply to Central Government for capital funding for the scheme
- for the amount of Government money provided for flood defences nationally, an overall benefit in a ratio of 5:1 had to be achieved
- in cases where land is subject to a planning application or a consent, the EA had been working with Planners to ensure that flood defences were built into new development and that this had been occurring for several years. In the event that a development did not proceed, the EA would need to decide if the defence which would have been provided through the scheme was required immediately or whether it could wait
- regarding a fall back position if Government funding was not provided, then unless it was provided from elsewhere in the short term, the scheme would not proceed, however other measures, ie increases in the flood warning scheme, use of temporary defences or smaller, local defences for specific buildings could be considered
- concerning Listed Buildings, that the EA's design advisers were looking at this issue and that dialogue was ongoing between the Council's Officers and English Heritage, with these matters being dealt with at the detailed design stage

- that it would be for the Council to decide if they wished to seek contributions towards flood defences through the planning process, and the EA would support that, however no money could be sought from existing developments
- that work would continue on schemes in other areas, eg Wykebeck, Farnley and Millshaw even if the Leeds FAS progressed
- regarding Turlow Court, that the potential effect of raising the properties would be significant and whilst efforts would be made to mitigate against this, there was a limit to what could be achieved
- that whilst moveable structures such as sunken barriers were being researched, no suitable place in Leeds had been identified for this type of flood defence, although this could be considered further at the detailed design stage. Members were also informed that such defences were not without risk as anything with moveable parts could break down, whereas walls were permanent

Members again stressed the importance of considering flooding and the costs of the defences in human terms and urged the EA to put the case for the Leeds FAS to Government in these terms and to stress the urgency of the proposals

In response to the issues raised, the Panel's comments were summarised as follows:

- there was a general acceptance for the need for flood defences and for a combination of proposals and a variety of options to be looked at
- regarding the height of defences, that the need for specific heights was accepted but that these should be the minimum possible which would ensure effectiveness
- that the design guide and methodology was the correct approach
- that a letter from the Panel be sent giving comments for inclusion within the report going to Executive Board expressing support for LFAS in principle in the light of the numbers of people and buildings the scheme would protect over its lifetime

RESOLVED - To note the report, the presentation and the comments now made

16 Date and time of next meeting
Thursday 13th August 2009 at 1.30pm