



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 5th November 2009

Subject: Position Statement for 3 related applications: 09/00883/FU for a temporary (3 year) change of use of Temple Works, Marshall Street, Holbeck to a multi-purpose performance, exhibition and events venue; 09/00882/LI for alterations to entrance areas to enable public access and emergency egress for the proposed temporary use; 09/00884/CA for demolition of the 1953 wing to Temple Works

APPLICANT

SJS Propt Management
Ltd.

DATE VALID

09/00883/FU – 7/8/09
09/00884/CA – 26/3/09
09/00882/LI – 24/4/2009

TARGET DATE

The 3 applications are the subject of a planning performance agreement with a projected target date of 31/3/2010.

Electoral Wards Affected:

City and Hunslet

yes

Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Members are requested to note the contents of the report and are invited to comment in relation to the key issues of the principle of the proposed use, the impact on the listed building character, the impact on the amenities of the area, the traffic implications and the Section 106 financial viability case.

1.0 INTRODUCTION:

The applications relate to a significant site within the Holbeck Urban Village Planning Framework Area. This area was the cradle of the industrial revolution in Leeds which has resulted in a legacy of outstanding industrial heritage. Temple Works is a nationally important grade I listed building and at 1.2ha in area has a significant impact on Marshall Street. The site has been vacant for some time.

2.0 PROPOSAL:

Application ref 09/00883/FU

This is a full application for the temporary (3-year) use of the main (c. 8,000m²) open plan mill space for a wide range of temporary performances, exhibitions and other events. The intention is to provide a major cultural destination and home for the local arts communities. It would be a professionally managed venue for avant garde music, art and performance. It would not cater for mainstream art. There would be no disco, raves and it will not be a nightclub. The venue will also provide an internship programme of education and work experience in curating, arts production and media technology. The space will be available for free for members of the cultural communities but revenue would be generated through events such as private hire for clubs, film shoots, charities, conferences and ancillary bar activities.

The proposed events listed in the management strategy are:

- art exhibitions
- educational use (by schools and colleges)
- ancillary bar use
- private hire (degree shows, arts and corporate hire)
- film club
- theatrical and musical performances
- conferences and conventions
- film and photo shoots
- seasonal markets
- “pop-up” retail and bars

These events could run concurrently and would range in duration from 1 day to 3 weeks depending on the nature of the activity. The earliest start time would be 10am and the latest finish would be 11pm. The management strategy is to allow the building to be occupied by up to a maximum of 1500 people at any one time.

The North Range (former Works Canteen) would be used for ‘backstage’ purposes (bin storage, staff cycle parking/showers and lockers, workshops, prop shop, kitchens/toilets, rehearsal space, meeting rooms and offices) and the North Wing (former Offices) would be used as a private members bar, for special art installations, corporate events and administrative support functions.

The northern service yard will provide 51 car parking spaces, including 5 spaces for the mobility impaired (positioned near the proposed entrance to the building), as well as 25 ‘Sheffield’ cycle stands for visitors (again positioned near the entrance to the building). Access to the car park will be from Marshall Street and egress to Derwent Place. The car park will be available for use only by staff and patrons of events in Temple Works.

The yard will also provide for servicing of the events taking place in the building, utilising the existing service access from Derwent Place. An area has also been identified for the location of temporary “portakabin” style chemical toilet facilities to serve large events.

A drop-off area for coaches is proposed on the southern side of the building, off Marshall Street. This facility would be available only for use by coaches transporting visitors to events in Temple Works.

Application ref 09/00882/LI

This is a listed building consent application relating to proposed alterations to entrance and exit areas to enable the proposed public use of the building.

It is proposed that pedestrian access to the site will be via the existing gate from Marshall Street and access to the building will be via the existing main entrance known as the 'boiler house' sited adjacent to the northern service yard. This forms an entrance hall which is roof lit and of the same general form and shape as the typical bay in the Mill building. A new glazed entrance screen would be fixed within the existing opening that is currently boarded up. The new screen would comprise a grey coloured aluminium frame and would contain two pairs of glazed double doors. A de-mountable timber and scaffold construction access ramp and stairs would be provided to deal with a 0.5m level change within the entrance hall.

An escape strategy for the building has been formulated utilising existing escape doors onto the northern yard, onto Marshall Street and existing openings in the southern side (to be revealed by the proposed demolition of the 1953 wing). To the north and eastern side the only changes proposed are to refurbish existing door mechanisms and upgrade ironmongery where necessary. The existing roller shuttered openings to the south side would be provided with new doors within the same openings with appropriate ironmongery. Galvanised steel guard rails would be provided outside the northern side escape routes to deal with level changes between these areas and the northern yard. Similarly guard rails would be provided to the south side of the building to deal with the level change between the floor slab of the demolished 1953 building and the adjoining site area. One of these exits would also need a temporary platform constructed in scaffolding to deal with a 0.5m level change.

Application ref 09/00884/CA

This is an application for conservation area consent to demolish the 1953 building, adjoining the south side of Temple Works, down to the existing ground floor slab. Where the building's beams and roof slabs have been set into the fabric of Temple Works and it proves difficult to remove them without damaging the fabric of the older building, these elements will be cut off close to the Temple works exposed southern wall and left in situ. The existing voids created by interconnecting ducts and pipe runs between the two buildings will be infilled and cement rendered to match the rest of the wall to be exposed.

The applications have been supported by the following reports:

- Design and Access Statement
- Financial Viability Evidence
- Noise Impact Assessment
- Transport Statement
- Flood Risk Assessment and Drainage Strategy
- Ecological Appraisal
- Travel Plan
- Sustainability Statement
- Geotechnical and Environmental Assessment
- Services Appraisal
- Heritage Statements
- Fire strategy
- Structural Report
- Photographic Report
- Use Management Strategy

3.0 SITE AND SURROUNDINGS:

Temple Works was built as an innovative flax mill between 1838 and 1841, part of John Marshalls' complex of textile mills and associated buildings in this part of Leeds. These operations made a significant contribution in the early 19th century to the industrialisation of textile production in the United Kingdom.

Temple Works provides a single expanse of approximately 8,000 sq.m of floor space below a large flat roof containing 65 conical shaped roof lights, each one sitting in the centre of brick vaults supported by cast iron columns. The roof was originally covered by soil and grass and reputedly grazed by sheep. The open plan floor space sits on a half basement which provided a service zone through which steam-generated, belt-driven power and hot water could be passed through openings to the processing floor above. Externally the principal elevation to Marshall Street is finished in grit stone and designed to resemble the Egyptian Temple of Horus at Edfu (giving the site its name).

The site was last used as a warehouse and ancillary offices but has been vacant for several years. In December 2008 the Mill suffered a partial catastrophic collapse to its roof structure along the Marshall Street frontage, with resultant damage to the adjacent wall and the floor below. This area is currently being supported by extensive internal scaffolding.

The Temple Works site is grade I listed due to its historic, technological and architectural significance.

The site also contains the former office buildings, works canteen, workshops and loading bays adjoining the north side of the Mill. The offices (the North Wing) are of three storeys (including the basement), but only the first floor is lit from the front. They also resemble an Egyptian temple and face Marshall Street. The front elevation has windows recessed behind columns with lotus leaf capitols enriched with papyrus decoration. The works canteen area (the north range) is also three storeys high and is characterized at ground floor level by the run of former loading bays and the former works entrance hall adjoining the north yard.

To the south side is the 1953 building, constructed as an extension to the older Mill. This building is a two-storey, flat roofed, brown brick building with large rectangular window panels. At the Sweet Street/Marshall Street corner it rises to three storeys.

To the west and south-west, the site is adjoined by the former steeping and reeling sheds and a former school building (now occupied by an archive store and chromium plating works which are in separate ownership and outside the application boundary).

The site is located within the designated Holbeck Conservation area which also includes the listed buildings of Marshalls Mills and the Round Foundry complexes further to the north of the site. To the east (on the opposite of Marshall Street) is a mixture of modern industrial premises. To the south of Sweet Street is the Commercial Pub (a two storey Victorian building located at the junction with Marshall Street) and the large cleared site of the former Reality Offices and warehouses (also in the applicant's ownership, but not forming part of the above applications).

The area particularly to the west and south of the application sites has been in decline for some time and is in need of focused regeneration.

4.0 RELEVANT PLANNING HISTORY:

1. The provision of scaffolding support and the repair of the damaged roof and front wall, following its collapse in December 2008, are works which are being carried out in close consultation with English Heritage and the Council's Conservation Officers. It had been agreed that these emergency works would not require listed building consent.

2. A listed building application to provide structural strengthening to Temple Works in the form of additional internal steel cable ties was approved in July 2009 (ref 09/00881/LI).
3. The management archive site immediately to the south-west of the site and fronting Sweet Street gained Panel agreement in principle for a mixed residential and office proposal in July 2008 subject to completion of a Section 106 legal agreement. The legal agreement is soon to be completed and planning permission issued. (application ref 08/00195/OT)
4. Outline planning permission was granted in March 2005 for a major mixed use residential, office and ancillary commercial uses development of the Marshalls Mill car park site and adjoining Council land to the north and north-west of the application site. The consent has not been implemented but is still extant. (application ref: 20/380/04/OT)
5. Outline planning permission was granted for a major mixed use office, residential and ancillary community and retail uses development on the applicant's land to the south of Sweet Street in August 2007. This has not been implemented but is still extant. (ref 20/304/05/OT)

5.0 HISTORY OF NEGOTIATIONS:

The applicant approached the Council in 2008 for informal discussions, with a view to discussing their aspirations and strategy for a cultural retail use for Temple Works. The applicant was advised that the demolition of the 1953 wing would need to be linked to and justified by the proposals for Temple Works, that the transport strategy and implications would need to be addressed in consultation with the Highways Agency and that a retail use which had potential to undermine the viability of the Council's designated retail areas would not be acceptable. The applicant was invited to enter into formal pre-application discussions to resolve these and other planning issues but chose not to.

Subsequently in March 2009 the applicant submitted 5 separate applications relating to the temporary use of Temple Works. These include the applications the subject of this report, the application for structural strengthening works (approved in July 2009) and an application for use of the cleared 1953 site as a car park. The application for the car park and the temporary use of the Mill were considered invalid due to lack of supporting information relating to a noise assessment, a travel plan, a draft Section 106 Heads of Terms for public transport contributions and lack of clarity on the parking strategy. Following further correspondence and meetings the applicant agreed to enter into a Planning Performance Agreement and submitted the outstanding information, a management strategy and a financial viability case for the temporary use application in August 2009 and clarified their parking strategy, so that the proposals for use of the 1953 site as a car park was withdrawn.

6.0 PUBLIC/LOCAL RESPONSE:

4 letters of objection have been received from local residents including the chair of the Round Foundry Residents Association on the following grounds (summarised):

- There would be noise disturbance from musical performances
- There would be increased traffic, car parking problems and noise in the area
- There would be increased litter on the streets due to patrons and street vendors attracted to the area
- There would be a loss of security due to the increased number of pedestrians in the area and alcohol fuelled unruly crowd behaviour
- The proposed uses are too vague as stated

- Loading and unloading (during the early morning and late at night) before and after events would result in noise disturbance
- The proposal would adversely affect property values

The following suggestions have been made to amend the proposals:

- Events should be of a defined cultural nature and should take place during the daytime only
- Heavy Goods vehicles should only be allowed to the site during restricted day time hours and not at weekends
- The events should finish earlier to allow visitors to disperse before 11pm
- The events should be assessed for the first few occasions and noise limiters used if necessary to keep noise to acceptable standards.

Response: The alleged loss of property values is not a planning matter. The applicant has clarified how the separate uses and associated service activity would be managed to ensure there is no undue disturbance to existing amenities. These aspects can be controlled by appropriate planning conditions. See section 3 of the Appraisal below.

Leeds Civic Trust: Supports the proposed temporary uses and encourages continued work towards a more permanent restoration and use of the building. The application for demolition of the 1953 wing should be withdrawn since it is not tied to a redevelopment of the site which would enhance the conservation area. Response: See section 2 of the Appraisal below

7.0 CONSULTATIONS RESPONSES:

Statutory:

Yorkshire Water: Does not wish to comment

Victorian Society: No objection

English Heritage: Support the proposal

Yorkshire Forward: The proposed use is broadly supported and will help with the overall regeneration of Holbeck Urban Village as well as bring this important building back into use. However clarification is sought for the nature and frequency of the retail activity which should only be occasional and ancillary to the main performance and events use of the building. There is also concern about the proposed “pop-up” and “private members” bars. These again should be ancillary to the main cultural use and should not be stand alone facilities or result in the premises becoming a regular nightclub venue. Planning conditions need to be attached to control the nature and extent of uses in this respect.

Natural England: The Leeds City Council ecologist (nature conservation officer) should be consulted on the proposed mitigation measures for the loss of a bat roost.

Response: This has been done (see below)

Environment Agency: No objection subject to a condition controlling finished floor levels.

Health and Safety Executive: Does not advise against the granting of planning permission on safety grounds but since the site is close to a major hazard pipeline the council should consider consulting the pipeline operator. Response: This has been done and a reply is awaited.

Highways Agency: The travel plan does not go far enough to mitigate the likely impact of the development traffic, particularly its commitment to adopting clear travel plan measures and targets. Response: See section 4 of the Appraisal

Non-statutory:

Conservation Officer: The Conservation Officer welcomes this scheme to bring Temple Works back into use. It is seen as a useful first step towards finding a sustainable future for this significant listed building which, together with its separately Grade II* listed gatehouse, appears in both the Council's Buildings at Risk Register and in the Heritage at Risk 2009 report published by English Heritage.

Contaminated Land Officer: Request standard conditions to deal with unexpected site contamination and to ensure soils imported to the site are suitable for use.

Mains Drainage: No objection to use of the existing drainage system for the temporary use. The Environment Agency should be consulted on the need for an oil interceptor for the north yard parking and servicing use. An informative should be attached to the decision notice informing the applicant that a drainage study including sustainable drainage measures will be required for a longer term use of the site, should a further application be submitted in the future to continue the use.

Nature Conservation Officer: The method statement for bat mitigation measures is acceptable and its implementation should be controlled by a planning condition.

Disabled Access Officer: No objections subject to provision of acceptable disabled car parking and glazing manifestations to meet BS8300:2009.

Entertainment Licensing: A premises Licence would be required under the Licensing Act 2003 for the regulated entertainment and sale of alcohol

Landscape Officer: The site of the demolished 1953 building should have a landscape treatment to improve the appearance of the site. Response: The applicant has agreed to this in principle and the details will be controlled by planning condition.

Environmental Protection Team: The proposed controls on music and plant noise levels emanating from the premises are considered acceptable and should be controlled by planning condition. However more details are needed on controlling potential noise from people queuing or leaving the premises and on the nature of the roof top sound and light shows. Conditions are requested to control the bin storage details, delivery hours and the venue opening hours. Response: See section 3 of the Appraisal below

Sustainability Officer: As an existing structure and historic building it is not expected that the energy efficiency standards required for development in the Holbeck Urban village Planning framework Area would be met in full. However further information is sought on details of the recycling of waste from events and the plans to monitor and manage the heating, cooling and ventilations requirements for the building. Response: The applicant is preparing further information on this for consideration

West Yorkshire Archaeology Advisory Service: The applicant should substantiate that the existing floor structure is capable of bearing a moving load of the size indicated by the proposed maximum capacity use, with particular consideration given to the rhythmic or co-ordinated movement and vibration associated with music and dance events. The demolition of the 1953 wing and minor alterations to facilitate access to the building have potential to reveal evidence for the construction and development of the Mill. Therefore an architectural recording condition is requested on any planning consent. Response: See section 2 of the Appraisal below

Police Architectural Liaison Officer: Car crime and prostitution are prevalent in the area. The car park should be lit to BS5489 standards and secured outside the hours of use. A CCTV system should be provided for the premises, the undercroft areas of the building should be adequately secured to prevent illicit use and access to the roof should be limited to those with a legitimate need. Response: The applicant has clarified that the parking area would be gated and managed by security staff. The doors to undercroft areas would also be locked when not in use as will access to the roof area. It is also considered that the use of the site would help to reduce car crime and prostitution by increasing activity in the area and therefore passive surveillance. It is therefore considered that a CCTV and lighting system is not necessary.

Public Transport Officer: The proposal generates a strategic public transport contribution of £44,333

Highways Officer: Has raised queries and concerns with aspects of the Transport statement and Travel Plan:

- The northern yard parking area is considered to have inadequate capacity to cater for general visitors to events
- Some of the larger events will require identified car parking rather than rely on available on-street parking
- The coach drop-off area needs to provide a safe route for pedestrians and the routing of coaches to the major road network needs to be demonstrated
- A taxi rank should be provided to meet the likely demand for taxis
- The estimated traffic generation figures are questioned in terms of the assumptions about previous traffic numbers for use of the site as a warehouse, the level of car use for certain events such as evening performances and retail orientated events, the fact that concurrent events and uses could be taking place on the site
- Following re-examination of the likely traffic generation some junction testing may be necessary to confirm the adequacy of the existing highway network
- The travel plan fails to address how people coming to events would be influenced to use more sustainable modes of transport

Response: See section 4 of the Appraisal below.

Travel Plan Officer: The travel plan lacks information on travel plan measures and services available in Leeds. Given the lack of bus services to the area consideration should be given to alternative measures such as the provision of a shuttle bus and signage from Leeds Rail Station. The travel plan does not propose targets and lacks commitment to measures to be adopted.

Response: See section 4 of the Appraisal below.

8.0 PLANNING POLICIES:

National Planning Guidance

PPS1 General Policies and Principles

PPG13 Transport

PPG15 Planning and the Historic Environment

PPS25 Flood Risk

Leeds Unitary Development Plan –Review 2006 (UDP) Policies

UDP Designation: Holbeck Urban Village Strategic Housing and Mixed Use site (planning proposal area 31A); Holbeck Conservation Area

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12: Sustainable Design.

BD4: Seeks to minimise impact of plant and machinery.

BD5: Seeks to ensure a satisfactory level of amenity for occupants and surroundings.

T2: Development proposals should not create new, or exacerbate existing, highway problems.

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

T24: Parking to reflect detailed UDP parking guidelines.

A4: Development and refurbishment proposals should be designed to secure a safe and secure environment, including proper consideration of access arrangements.

SA9, SP8: Promote development of City Centre role and status.

CC27: Proposal areas within the City Centre.

S1: The role of the City Centre as the regional centre will be promoted.

BC7: Use of local materials in Conservation Areas

N15, N16 and N17: listed building character

N18a and N18b: demolition in conservation areas

N19: Development within or adjoining Conservation Areas should preserve/enhance the character and appearance of the Conservation Area.

N25: Boundaries should be appropriate to the character of the area.

Supplementary Planning Guidance

The Holbeck Urban Village Planning Framework (February 2006) encourages sustainable, quality mixed use developments within the framework area. The aim is to provide a vibrant area which caters for residential and office uses and ancillary leisure and community facilities. It also recognizes that the area could be attractive to artists, sculptors and musicians because of its unique industrial character and the availability of suitable accommodation. An emphasis is placed on retaining the historic industrial heritage of the locality which gives the area its special character.

9.0 MAIN ISSUES

1. Principle Of the Use
2. Impact on the Listed Building character and the character of the conservation area
3. Impact on the general amenities of the area
4. Traffic Impact
5. Section 106 viability case

10.0 APPRAISAL

1. Principle of the Use

The UDP proposal area 31A designation allows for the provision of community, cultural, leisure and service facilities within the overall mix of uses for Holbeck Urban Village (HUV). The HUV planning framework also puts forward exhibition galleries and showrooms as possible uses for the building. The proposed temporary use of Temple Works for multi-purpose events, exhibitions and performances is therefore consistent with the Council's adopted policy.

The applicant has agreed to restrict the ancillary retail activity to a maximum of 14 days within the first year, 28 days in the second year and 42 days in the last year of use to allow for the progressive increase in intensity of use on the site envisaged in the management strategy. This can be controlled by planning condition. Also the nature of goods likely to be sold would be ancillary to the cultural thrust of the use on the site (hand-crafts, fine and plastic arts, artisan style foodstuffs and museum quality merchandise). It is considered that the infrequency and likely nature of the retail activity would ensure that it does not adversely affect the vitality of the designated Prime Shopping Quarter.

As the site is located in Flood Zones 2 and 3 the applicant is required to undertake a sequential assessment for the location of the use in accordance with PPS25. Given that the application relates to a grade I listed building in an identified regeneration area and the proposed uses are classified as "less vulnerable" in PPS25, it is considered that the sequential test requirements have been met.

2. Impact on the Listed Building character and the character of the conservation area

The stated objective of the applicant is to adopt a philosophy of minimum intervention to accommodate the proposed uses. No substantive work is proposed beyond maintenance, re-decoration and re-instatement. Any exhibitions, performances and events will be self-supporting in terms of services and installations. Events will be required to provide their own

equipment and would be supplied by site-generated power and free-standing lighting facilities with all staging provided by temporary rigs. The required infrastructure would not be fixed to the building.

The provision of public access and exit points do not require adaptation of historic fabric. The new glazed entrance screen to the north side would be an improvement on the existing boarded up opening and the temporary disabled ramp and steps within the main entrance hall would be sited within a modern concrete base and would be de-mountable. The new doors to the south elevation would be plain and unobtrusive in the context of the rendered cement finish to the exposed south wall. The hand railing and raised platforms outside some of the escape doors would be of a simple design set into the modern construction of the loading bays.

The proposal is to licence the building for up to 1500 people although the building has capacity for many more people subject to adequate fire escape provision. Also use of the premises would be tightly managed and controlled based upon experience of a similar events venue in London (The Shunt). The applicant's structural engineer has concluded that the floor loading capacity of the Mill and its roof structure and supporting columns are adequate to withstand dynamic movement and vibration noise associated with a major dance or musical performance. This has been independently assessed by the Council's structural engineer who concurs with the submitted assessment. It is therefore considered that the proposed use and access works would not have an adverse impact on the special character of the listed building.

With regard to the demolition of the 1953 wing, although there is not a proposal for re-use of the site as normally required by adopted policy, the area is required for emergency escape purposes to serve the proposed use of Temple Works. Also the building, although of a bold design, is not considered to have any significant architectural merit and is not compatible with the character of the more historic industrial buildings in the area which provide the conservation area with its special character. The applicant has also agreed to temporarily landscape the cleared site to provide an enhanced appearance to the street and the full details will be controlled by a planning condition. It is considered that on balance the loss of the 1953 wing and the re-use of Temple Works would help to regenerate the area. The demolition proposal is therefore considered acceptable.

3. Impact on the general amenities of the area

The nearest residential premises are located within the Round Foundry about 100m to the north. There is some bed and breakfast accommodation provided in the commercial pub to the south. Otherwise the surrounding uses are commercial.

As stated above the capacity of the site will be artificially restricted. Therefore internally the production of noise should be adequately contained within the structure. In any case the applicant has agreed to a standard of virtual inaudibility at the nearest noise sensitive sites. It has also been agreed that the details of any external roof top light and sound shows would be agreed with the Council in advance. These matters will be controlled by condition.

Most activities will generate much less people than the maximum of 1500 people to be allowed on site and the arrival and dispersal of these people would not cause any more disturbance than the existing character of a busy city centre location. Also the 10am start and 11pm finish times for events would help to ensure that the activity is contained within recognised "daytime" hours and does not intrude into times when residents can reasonably expect a quieter environment. For major events the applicant has stated that they would use the north yard and entrance hall to control queuing and crowds by stewards so that they do not cause disturbance on the street. The applicant has also been asked to consider

adopting an earlier finish time for major events such as conferences which have potential to discharge a lot of people onto the street at the same time, to prevent disturbance late at night. He is yet to respond.

The applicant has however confirmed there would be no external late night packing up of events and that all bin storage would be internal to the premises.

The applicant has also confirmed that there would be no on-site food preparation and no need for mechanical ventilation. Also the loading and unloading would be restricted to 8am to 6pm on Mondays to Saturdays and 9am to 6pm on Sundays and Bank Holidays.

The applicant has also provided revised information on likely increases in road traffic noise which is yet to be considered. Subject to the acceptability of this it is considered that the uses, with the above restrictions, can operate without unduly affecting the amenities of this part of the city centre. They provide an opportunity to find a suitable use for this important building and help to regenerate the area and site. Also the temporary consent would allow the Council to revisit its decision if the management of the site was found to be wanting.

4. Traffic Impact

A revised transport statement and travel plan was received as the report was being finalised for Plans Panel. The transport statement concludes that the estimated level of traffic that would be generated would vary considerably, depending upon each event, but that a material impact upon the local highway network is unlikely. The travel plan seeks to maximise use of the public transport connections to the area, encourage cycling, walking and car sharing. This information is yet to be considered by the Council's Highways and Travel Plan officers or by the Highways Agency.

5. Section 106 viability case

The proposals would generate a strategic public transport contribution of £44,333 in accordance with the adopted "Public Transport Improvements and Developer Contributions" SPD (August 2008).

The applicant has however submitted a viability case which projects that the uses would, taking into account projected expenditure and income generated, make only a surplus of about £14,000 over their 3 years of operation. This information is being considered by the Council's surveyor.

11.0 CONCLUSION

The proposals for an avant garde cultural venue have the potential to provide real interest and an impetus for not only the regeneration of this important listed building but also the area in general. The minimum changes proposed to the building's fabric to enable access would ensure retention of its unique character. The demolition of the modern 1953 wing can be justified on balance, since it allows re-use of the Temple Works and does not result in loss of a building that contributes to the special industrial character of the area.

The exact nature of the uses and their operation will have to be managed and controlled tightly to ensure that there is no adverse impact on existing amenities and that the site remains primarily a cultural venue. This can be done through appropriate planning conditions whilst ensuring that they do not stifle the unique opportunity for imaginative use of Temple Works for a diverse range of cultural purposes.

Subject to acceptability of the likely traffic impact it is considered that the proposals should be supported. The temporary nature of the permission will also enable the impact of the proposals to be monitored and any issues arising out of the operation can be re-considered at the end of the 3 year period.

This report is being brought at this stage so that issues can be identified and addressed as the application is progressed. Members views on the identified issues would therefore be helpful at this stage in order to guide the process.

Background Papers:

Application references: 09/00882/LI, 09/00883/FU and 09/00884/CA

