



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 5th November 2009

Subject: APPLICATION 9/03829/OT – OUTLINE APPLICATION TO ERECT B1 OFFICES IN TWO BLOCKS AND A HEALTH AND FITNESS CENTRE AND MULTI-STOREY CAR PARK AT 10-11 SWEET STREET, HOLBECK.

APPLICANT

Ace Investments Ltd

DATE VALID

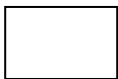
8/9/09

TARGET DATE

8/12/09

Electoral Wards Affected:

City and Hunslet



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

POSITION STATEMENT ONLY

1.0 INTRODUCTION:

This outline application is presented to Panel as a position statement and Members are requested to provide comment.

2.0 PROPOSAL:

Outline consent is sought for two office buildings, a multi-storey car park (MSCP) and gym at 10-11 Sweet Street. Approval is sought for the principle of the development plus the access, layout and scale. Approval of the appearance and landscaping is reserved.

Approximately 10,000m² of B1 office space is proposed over two six storey buildings. There is one office block on the corner of Trent Street and Marshall Street and one slightly larger building extending along Marshall Street and returning with a frontage facing Sweet Street.

The MSCP is located in the eastern half of the site with vehicular access from Trent Street in the south and the 946m² gym in the ground floor of the northern part of the building.

Due to the location of a high pressure gas main running under the northern part of the site adjacent to Sweet Street, the buildings are set back from Sweet Street and a linear landscaped strip is introduced along that frontage. Further landscaping takes place in the centre of the site between the three buildings and along the Marshall Street frontage. A pedestrian/cycle route is introduced between the MSCP and a further strip of landscaping along the eastern boundary of the site that links Sweet Street to Trent Street.

The scheme will be phased with the MSCP/gym built as phase one with the office development constructed as phase two when a pre-let has been found.

The MSCP will provide the allocated UDP parking provision for the office and leisure elements of the scheme with the remaining spaces initially being short stay parking. However, it is proposed that parking spaces are made available to other new developments within Holbeck Urban Village (HUV) that cannot provide parking on site. Where such a development within HUV cannot provide parking on site due to constraints such as restricted access, proximity of listed buildings etc, it will be possible for spaces within the proposed MSCP to be allocated to the constrained development (in accordance with UDP standards).

The application is supported by the following documents:

- Design and Access Statement.
- Planning Statement.
- Statement of Flood Risk and Drainage Issues.
- Framework Travel Plan.
- Land Contamination Report.
- Transport Assessment.
- Bat Survey.

3.0 SITE AND SURROUNDINGS:

The application relates to 10-11 Sweet Street, a 0.94 hectare site in Holbeck with frontages onto Sweet Street, Marshall Street and Trent Street.

The site presently contains a two-storey flat roofed red brick industrial unit that accommodates a number of different occupiers. The building is set in from the site boundaries with the space around the building utilised as car parking. There are vehicular access points from Sweet Street and Trent Street.

A high pressure gas main and an intermediate pressure gas main are under the northern part of the site whilst a sewer runs under the eastern edge of the site.

The surrounding area contains a mix of similar industrial units, cleared sites plus relatively recent developments including the 8 storey office development the 'Mint', Government Offices at Lateral and the Bewleys Hotel and 'City Walk' developments. The 'Commercial' public house is located to the west of the site across Marshall Street. Further north up Marshall Street is the grade I listed Temple Works whilst at the southern end of Marshall Street is the grade II listed former Holbeck Library.

The site is inside the City Centre boundary and within the area covered by the fringe city centre parking standards. The boundary of Holbeck Urban Village extends up to the opposite (northern) side of Sweet Street. The Holbeck Conservation Area extends as far as the Commercial pub to the west.

4.0 RELEVANT PLANNING HISTORY:

Planning application 06/02152/FU sought approval for a long stay commuter/shopper car park on part of the site. This application was refused on 7/11/08 as it would have undermined the Council's objectives to restrict commuter car parking in this location and because it was likely to attract more commuter vehicles in the morning peak.

5.0 HISTORY OF NEGOTIATIONS:

Since an initial pre-application enquiry was submitted in January 2008 Officers have had two pre-application meetings regarding this scheme plus written correspondence. The discussions primarily focused on the provision of a multi-storey car park on this site with officers stressing the objection to long stay car parking but an in principle acceptance of short stay car parking and the provision of parking relating to the uses on site. It was also agreed that some further contract parking for future developments within HUV would be acceptable on agreement with LCC and controlled by S106. The principles of the other uses on the site were not discussed in detail but were broadly accepted.

Following the submission of the application a number of queries were raised by LCC officers and other consultees. These issues are highlighted and discussed in detail below.

6.0 PUBLIC/LOCAL RESPONSE:

An advert was placed in the Leeds Weekly News on 17/9/09 and a site notice (major development affecting the character of a conservation area) was posted 11/9/09.

Two letters of support have been received, one from the developer considering an office scheme for the site to the north across Sweet Street and one on the behalf of the owners of the 'Mint' office development. Both letters support the introduction of the multi-storey car park and believe this will make the area more attractive to businesses considering locating in Leeds. Due to the parking restrictions placed on developments in the area, many businesses have declined to locate in the area. The current parking is either on cleared sites that are full by 8:30-9am or on-street. The multi-storey car park would provide greater security and allow visitors to other office developments to find parking spaces throughout the course of the day.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Health and Safety Executive: The HSE does not advise, on safety grounds, against the granting of planning permission; the pipeline operator should be consulted.

Response: The pipeline operator, Northern Gas Network, has been consulted and no objection was raised.

Northern Gas Network: Easements to the high and intermediate pressure pipelines are 7m and 3m respectively. It appears the proposed buildings are outside the easement zones therefore there is no reason to object. Both pipelines will require protection during construction and the Northern Gas Network should be consulted regarding tree planting in this area.

Yorkshire Water: Run-off should be no greater than at present. Following the submission of a drawing highlighting the relationship of the buildings to the sewers YW are comfortable that the appropriate easements are provided.

Environment Agency: No objection subject to a condition to cover details that show the surface water run-off from the site being no greater than at present.

Highways Agency: There are issues with the Transport Assessment and Travel Plan that need to be addressed. A holding direction has been issued preventing the LPA to make a decision until the issues have been addressed.

Response: *Further details of the Highways Agency concerns are discussed in the appraisal section below.*

Non-statutory:

Contaminated Land Team: No objection subject to standard conditions.

Highways: Further development of the Transport assessment and Travel Plan are required before the development can be supported. Justification is required for the level of short stay parking.

Response: *Further details of the highway concerns are discussed in the appraisal section below.*

NGT/Public Transport: The proposal would generate a large number of trips therefore a contribution of £162,175 will be required in accordance with SPD5.

Transport Policy (Travel Wise): A detailed TP is required for the leisure use. Improvements are required to the framework TP for the office development including stricter targets relating to the level of car use, cycle facilities and car sharing. The final TPs will need to be appended to a S106 agreement that will also require a monitoring fee £5150.

Response: *The applicant is amending the TP to accord with the requests made.*

Mains Drainage: The submitted Statement of Flood risk and Drainage Issues does not reflect the latest modelled flooding levels and the floor levels should be raised to reflect this. A 30% reduction in surface water drainage is required and a variety of standard conditions are requested.

Response: *Discussions are ongoing regarding the modelled data and an update will be provided verbally at Panel.*

Metro: The principle of development of the site is supported but there are some concerns regarding the MSCP that may encourage car use. The targets within the Travel Plan need to be more specific and a public transport contribution should be sought. The applicant should be required to provide join the Travel Plan Network, a scheme that provides discounted Metrocards.

Response *The pricing structure for the car park is intended to discourage long stay parking and there is no policy objection to the principle of a short stay car park (this is discussed in more detail below). A revised TP is to be submitted that will highlight further and more specific targets and will highlight the potential for joining the Travel Plan Network. As detailed above, a public transport contribution of £162,175 is required.*

8.0 PLANNING POLICIES:

Development Plan

Regional Spatial Strategy: The RSS for Yorkshire and Humber was adopted in May 2008. The vision of the RSS is to create a world-class region, where the economic, environmental and social well-being of all people is advancing more rapidly and more sustainably than its competitors. Particular emphasis is placed on the Leeds City Region.

UDP:

GP5: Proposals should resolve detailed planning considerations.

GP11, GP12 (Sustainable Design).

BD2: New buildings should complement and enhance existing skylines, vistas and landmarks.

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.

LD1: proposals should allow sufficient space around buildings to retain existing trees in healthy condition & allow new trees to grow to maturity.

N12: Fundamental priorities for urban form.

N13: requires all new buildings to be of high quality and have regard to character and appearance of surroundings.

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

Relevant Supplementary Planning Guidance

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

Public Transport Improvements and Developer Contributions 2008:

Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.

Holbeck Urban Village Revised Planning Framework 2006: Despite being outside HUV the principles established by the HUV Framework should be closely followed. This includes the guidance regarding the scale of development along Sweet Street, materials and uses. The framework refers to heights along Sweet Street of around seven storeys but reducing in height towards Temple Works, high quality materials and the potential for a MSCP within HUV to meet the needs of new developments.

Sustainable Development Design Guide 1998: This SPG provides useful information for developers and designers in how the principles of sustainability can be put into practice, it will eventually be replaced by the Sustainable Design and Construction SPD once adopted.

National Planning Guidance

PPS1 General Policies and Principles

PPG13 Transport

9.0

MAIN ISSUES

i. Principle of the development.

- ii. Layout and scale.
- iii. Highways issues.
- iv. Sustainability/Biodiversity.
- v. Section 106.

10.0 APPRAISAL

i. Principle of the development.

This brownfield site is within the city centre boundary and area covered by the fringe city centre car parking standards. The principle of office and leisure developments with appropriate levels of parking can be accepted on this site as can the principle of some short stay car parking. The extent of short stay parking and potential for further long stay allocated parking is subject to greater scrutiny and is discussed in more detail below.

The potential for a privately funded MSCP is referenced in the HUV Framework with an area of Council owned land adjacent to the viaduct being identified. The development of this site is not expected in the short to medium term therefore the provision of a MSCP on this alternative site has been agreed in principle.

ii. Layout and Scale.

As a result of a good understanding of the site and surrounding area, a well thought out scheme development as highlighted in the design and access statement, plus the constraints placed on the development by the gas and water mains, this is a proposal that creates improved linkages through the site. The buildings are set back from Sweet Street (due to the gas main) therefore the creation of an 'avenue' along Sweet Street, as sought by the HUV framework, is facilitated by this scheme. The pedestrian and cycle route along the eastern boundary of the site ensures a north-south linkage from Siddal Street to Bowling Green Terrace is provided to assist connectivity from the city centre and HUV into the communities further south in Holbeck. The buildings are also set in from the western boundary to avoid over dominance and canyoning and allow for landscaping. A central area of public open space links well with the other landscaped areas and connecting streets beyond whilst vehicular access is from the less prominent Trent Street.

Despite being outside HUV the buildings are intended to correspond with the principles of the HUV framework with regard to the northern side of Sweet Street. The framework seeks to create a uniform height of buildings around seven storeys along Sweet Street with a reduction in height towards Temple Works. The scheme approved to the west of the application site, the former Reality site, proposed six storey office blocks on its near boundary. The proposed development seeks approval for six storey office blocks with the leisure and MSCP building reflecting this height. As highlighted above, this reflects the outline approval to the west of the site and is considered to respect the aspirations of the HUV framework. Being to the south of Sweet Street and therefore further away from the listed Temple Works it is considered that six storeys of office (or equivalent) are acceptable.

Plant room and stair cores have been incorporated into the envelope of the office buildings and will therefore form part of the overall design approach. The application is in outline only with the appearance of the buildings reserved therefore detailed design is not know at this stage. However, precedent images have been provided that identify high quality buildings with a design and use of materials considered appropriate for this area.

Full landscaping details will also be required by condition and drawings have been requested to highlight the area of landscaping to be delivered with each phase of

development, i.e. the MSCP and each office building. It has been requested that the applicant provides Yorkstone paving for the footpaths around the site to correspond with the palette of materials utilised within HUV and as agreed for the former Reality site. However, the applicant has not accepted this request as the site is outside HUV. The applicant has stated they will identify quality surfacing materials within the design code (yet to be submitted). Members will be updated on this matter at Panel with the intention to resolve the issue prior to the application being brought for determination.

iii. Highways Issues

A number of issues were raised by both LCC Highways and the Highways Agency. This included the use of incorrect parking standards for the on site uses, methodology used to identify trip generation, inaccuracy of the drawings with regard to the width of Trent Street, slightly substandard visibility splay and lack of information regarding servicing. In addition it was considered that further justification for this scale of short stay car park was required and improvements to the Travel Plan have also been sought.

The applicant has confirmed these issues will be addressed and updates will be provided verbally at Panel before being fully resolved prior to presenting the application for determination.

The control of the long stay parking is discussed in section v. below.

iv. Sustainability

A short sustainability statement was incorporated into the design and access statement that identified the principles that will be followed through the development process. Further information has been requested including details of specific targets, a site waste management plan and biodiversity enhancements.

One measure outlined is the incorporation of a green roof to the larger office block where there is no plant machinery in the roof.

The bat report found no evidence of, or potential for, bat roosts within the existing buildings. Bat and bird boxes are proposed to be located around the site.

v. Section 106

A section 106 agreement will be required to cover the £162,175 public transport contribution, travel plan and monitoring fee of £5150, off site (pavement) surfacing works, standard training and employment initiatives and a management fee of £1,800.

The section 106 will also require the submission of a car park management plan that will control the provision of short and long stay spaces. The MSCP would be constructed in the first phase with the office buildings following as phase two. As such the S106 will restrict the use of the office/leisure spaces within the MSCP as short stay only until the offices are occupied. The S106 will also restrict the use of the remaining spaces as short stay only by creating a high price for the 6-8 hour period. It is also intended that the short stay car park will be prevented from opening from 0930 to avoid more commuter vehicles in the morning rush hour. However, the applicant disputes the need for this and further discussions are taking place.

The MSCP is also intended to meet the UDP allocated parking provision for future developments in HUV that cannot provide sufficient parking on site. Throughout

HUV there are a number of development sites where it will be very difficult to provide parking in line with the UDP due to restrictions such as access and proximity of listed buildings. As identified in the HUV framework, a separate MSCP could provide the parking allocation for such developments and the MSCP that forms part of this scheme is intended to meet that need. As such the S106 will also incorporate a mechanism that allows for short stay spaces to be reallocated as contract/long stay spaces to other developments elsewhere in HUV. Such an allocation would only be on agreement with the LPA and would only be in accordance with UDP parking standards.

11.0 CONCLUSION

Members are asked to note the above position statement and provide comment on the proposals. Negotiations continue regarding the content of the design code, highway issues, off site surfacing materials, sustainability implications, drainage targets and content of the S106. Specifically, officers would appreciate confirmation that;

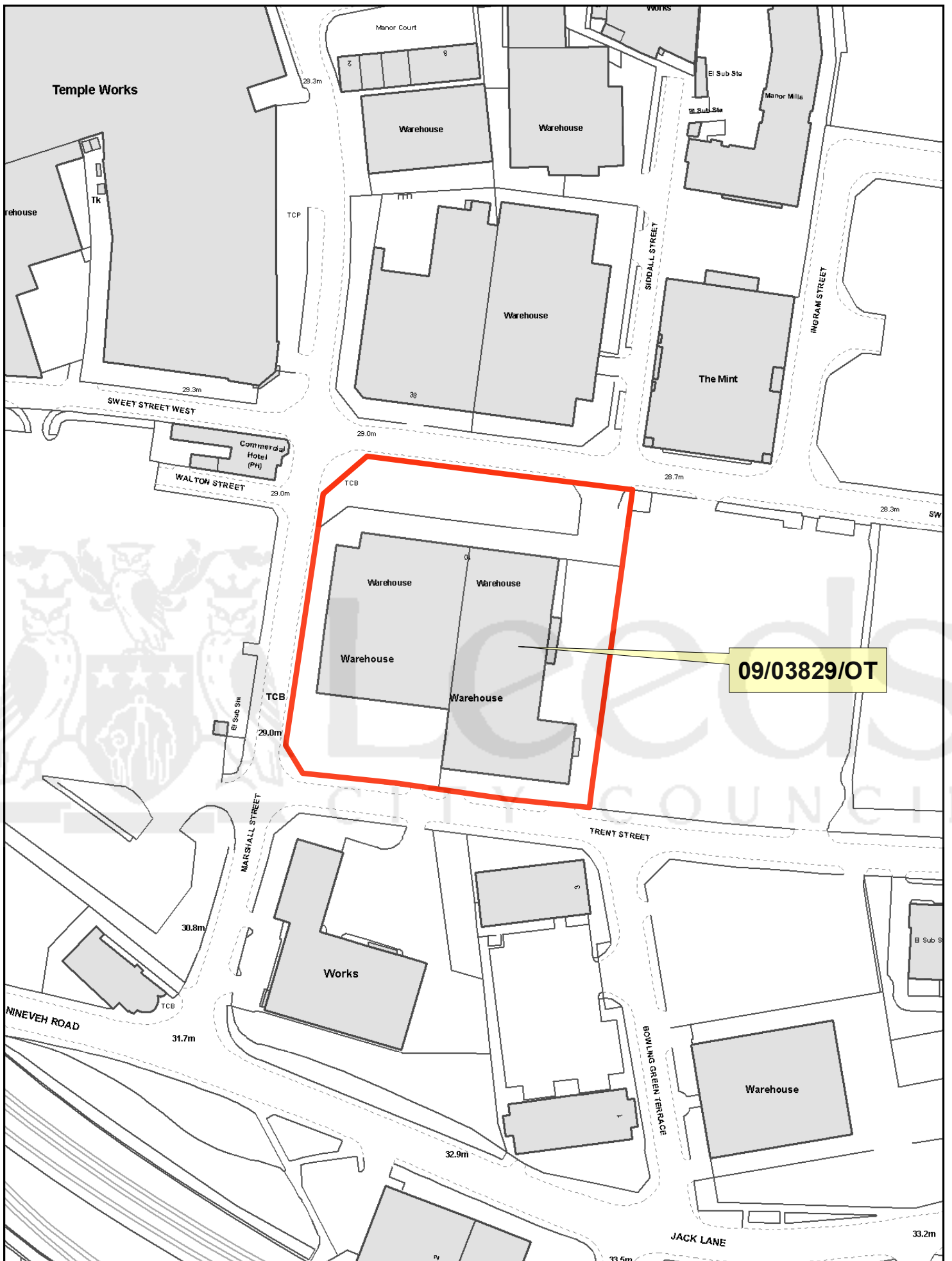
- 1) the principle of the uses are acceptable and the approach to the short stay parking and future long stay parking provision is acceptable,
- 2) the general layout and scale is acceptable,
- 3) the precedent images and other information contained within the design code is acceptable,
- 4) the two phased approach is acceptable,

It is intended to bring a formal recommendation to the December Panel, where the proposal will hopefully address all the outstanding issues and any comments made on this position statement.

Background Papers:

Application file 09/03829/OT

Certificate of Ownership signed of behalf of the applicant.



09/03829/OT

CITY CENTRE PANEL



Scale 1/ 1500

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