



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 3rd December 2009

Subject: Applications 08/05307/FU - Alterations and extension to form offices and A3/A4 bar restaurant development and erection of 5 storey office block with basement car parking and public landscaped area 14-28 The Calls; and 08/05309/CA - Conservation Area application for demolition of the Mission Hut and 28 The Calls, Leeds

APPLICANT

Bracken Ltd and CDP Ltd

DATE VALID

14 November 2008

TARGET DATE

13 February 2009

Electoral Wards Affected:

City & Hunslet

No

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Application 08/05307/FU : DEFER and DELEGATE approval to the Chief Planning Officer subject to there being no representations received which raise new issues, and subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations; index linked public transport contribution of £225,373; travel plan and monitoring fee £4000; car club trial membership £7625; accessibility to public areas; employment and training initiatives, monitoring fee.

Application 08/05309/CA – GRANT CONSENT subject to the conditions specified.

Application 08/05307/FU Conditions

- 1 3 Year Time Limit
- 2 Notification of Commencement
- 3 Details of levels including Ordnance Survey Data
- 4 Details of phasing including demolition and construction.

- 5 Archaeological recording.
- 6 Retention/restoration of existing street and building signs.
- 7 1:20 details.
- 8 Details of walling, roofing and facing materials.
- 9 Sample panel of all external facing materials.
- 10 Details and samples of surfacing materials.
- 11 Details of contractor's storage and parking.
- 12 No external storage of plant or materials during construction.
- 13 Details of methods to control dirt, dust and noise during construction.
- 14 Details of methods to prevent mud, grit, dirt on the public highway.
- 15 Hours of construction.
- 16 No construction on Sunday's, Bank Holidays, Good Friday or Christmas Day.
- 17 Details of cycle parking.
- 18 Details of disabled parking.
- 19 Parking areas to be laid out and drained.
- 20 Details of hard and soft landscaping including lighting, decorative grilles, gates and riverbank.
- 21 Implementation of landscaping scheme.
- 22 Details of boundary treatment.
- 23 Details of method and disposal of refuse.
- 24 No external storage of refuse.
- 25 Contaminated land arrangements.
- 26 Separate system of foul and surface water.
- 27 Details of foul and surface water drainage.
- 28 Provision of oil interceptor.
- 29 No building within 3m of sewer.
- 30 Development completed in accordance with approved flood risk assessment.
- 31 Piling and foundation design.
- 32 Floor levels no lower than 26.7AOD.
- 33 No structures with 3.0m of the top of bank or watercourse along the boundary of the site.
- 34 Details of extract ventilation.
- 35 Details of air conditioning.
- 36 Details of flue pipes, extract ventilation or other excrescences to be located to the side or roof of the building.
- 37 Provision of a grease trap.
- 38 Noise attenuation of the A3/A4 use.
- 39 Opening hours of the A3/A4 use – 0800-0100 hours Monday to Saturday, 1000-0000 hours Sunday.
- 40 External A3/A4 areas not to be used after 2230 - management details to be submitted.
- 41 Delivery hours.
- 42 Removal of permitted development right to A1.
- 43 Green Travel Plan
- 44 Disabled Access.
- 45 Details of Lighting Scheme.
- 46 Provision of Public Art.
- 47 No external music.
- 48 Reinstatement and restoration of site should development for any reason cease.
- 49 Sustainability Report.

Application 08/05309/CA Conditions

1. Time limit for commencement of development.
2. No demolition until contract signed for redevelopment.

Reasons for approval:

Application 08/05307/FU

The application is considered to comply with policies GP5, N12, N13, N19, T2, T5, T6, A4, CC3, CC5 and CC28 of the UDP Review; RSS policies YH4, YH7, E2, E3 and ENV5 as well as guidance contained within Leeds – City Centre Urban Design Strategy; PPS1, PPG15 and PPG25 and having regard to all other material considerations, as such the application is recommended for approval.

Application 08/05309/CA

The application is considered to comply with policies N18A and N18B of the UDP Review and PPG15 and having regard to all other material considerations, as such the application is recommended for approval.

1.0 INTRODUCTION:

- 1.1 This is a large riverside site that has permission for a mixed use residential, office and A3 development of a similar scale to the current proposal approved in April 2007 (Ref: 20/262/03/FU).
- 1.2 Members may recall this proposal was first presented to them in December 2007 at pre-application stage. A planning application was submitted in November 2008 and revisions to the scheme were presented to Plans Panel as part of a Position Statement on 18th June 2009. Members made the following comments:
 - Concern over the perceived boring design and the finish of the materials proposed as Panel did not regard these as exciting or of sufficient quality for this landmark site.
 - Accepted the heights and massing of the buildings, as these remained similar to the December 2007 scheme.
 - Commented on the window treatments. Members were particularly unhappy with the horizontal ribbon windows to the office building which were out of keeping with other buildings on the waterfront which had a more vertical emphasis; and the louvre windows on the mixed use element.
 - Concern over the eastern overhang to the office building which was felt to block views from the city centre into the development and across the river.
 - Unsympathetic and harsh design on the riverside which did not relate to existing architecturally important buildings.
 - Concern regarding protective railings along the riverside walkway and need to ensure existing railings are maintained and new ones are suitable and appropriate.
 - Discussed concerns regarding the desire for a 24 hour city and problems associated with 24 hour public access, especially to those areas adjacent to residential properties. Panel did acknowledge that use of the walkways could discourage some aspects of anti-social behaviour. Members also commented that due to residential areas around, any bars or restaurant uses should be restricted in terms of hours of operation.
 - Concern that sections of the walkway on the river appeared to be narrower.

- Noted that reinstatement of the stone plinth to the lower level of the two buildings would be beneficial in terms of design improvement and relationship to other buildings on the riverside.
- The Panel expressed the view that this location could support a simple form of development, similar to this, but echoed the views of the Civic Trust about the quality of the revised scheme.
- It was also noted that Panel broadly supported the height and massing of the revised scheme and the proposed heads of terms of the associated Section 106 Agreement.

1.3 Since that time the design team have held a series of workshops with officers to address concerns raised culminating in the recent submission of revised proposals.

2.0 PROPOSAL:

2.1 The scheme includes approximately 57000 sq feet of B1 office accommodation and 17000 sq feet of A3/A4 use in two blocks with underground car parking spaces for 52 cars, and secure cycle and motorcycle provision. This is achieved through a combination of refurbishment of 20 to 24 The Calls and the construction of 2 distinctive new build blocks. The scheme is formed by the following elements:

- Demolition of 18 and 28 The Calls and The Mission Hut. Physical gaps are created at both points to allow river views from The Calls and from the Corn Exchange and encourage public access into a large area of public realm.
- 20 to 24 The Calls is a three/four storey, red brick former warehouse. This building is proposed to be retained as part of the proposed scheme. The former warehouse building will be refurbished as A3/A4 at ground and first floor levels with offices above.
- Two contemporary blocks situated towards the east and west fringes of the site.
- The west block (Warehouse Hill Building) occupies the site of 18 The Calls and projects at a right angle along the front of 2 to 12 The Calls. The building would be 5 storeys over the lower ground parking area. The building form follows the natural bend in the river. The building, which sits on a stone plinth, has a vertical emphasis expressed through windows and (red) brick piers. The top floor is cut back from the southern elevation and continues in a straight plane. The roof form is clearly defined and is covered by a copper roof which wraps over an elevated eastward extension of the building. The block incorporates a projecting element that projects over the riverside walkway as an extension of the principal element running through to The Calls. The ground and first floor of the building would be set back on a splay from The Calls to create a double height void. This part of the building would be constructed in a dark brick with fenestration set in deep reveals. Lower levels would utilise expansive areas of glazing.
- The east block (Atkinson Building) is proposed on the site of 28 The Calls and projects southwards towards the river. The building would be 4 storeys in height fronting The Calls and utilises the fall in levels to form a lower level closer to the river. The lower two levels would be primarily glazed sitting on a stone plinth. Upper levels would be largely faced in dark brick other than for the river facing elevation which would be glazed. Etched glazing would be utilised in eastward facing A3/A4 elevations to obscure views. Vertical aluminium louvers are proposed within the office windows above. A lower link would abut 32 The Calls over a 3-4 metre wide route providing pedestrian access from The Calls to the lower terrace.

- Basement car parking for 52 cars, including 3 disabled spaces, 12 cycle parking spaces and 4 motorcycle parking spaces. The car parking is accessed from Riverside Court. Basement includes storage, shower and changing facilities for cyclists.
- A “Very Good” BREEAM rating will be achieved for the buildings through location and travel considerations, selection of materials, solar orientation, high levels of thermal insulation and selection of maximum energy efficiency mechanical and electrical installations, together with including a system of water heater solar collectors at roof level and other devices to minimise energy consumption.
- Creation of a street level terrace and large area of public realm primarily located along the southern side of 20-24 The Calls. The terrace at lower level forms an extension to the ground floor of 20-24. Steps and a lift from the terrace link the areas and lead down to the open riverside area and a new riverside walkway. Public areas and walkways would be appropriately lit. Bollards are currently proposed along the river edge.

2.2 The application is supported by the following documents:

1. Design and Access Statement (revised November 2009).
2. Planning Statement.
3. Flood Risk Assessment.
4. Travel Plan.
5. Sustainable Development Design Proposals
6. Bat survey
7. Sunlight Study
8. Justification for the demolition of 28 The Calls
9. Statement of Community Involvement
10. Land Contamination Report.
11. Transport Assessment.

2.3 Section 106

The Section 106 Agreement will include the following:

- Index linked public transport contribution of £225,373, including £50,000 - £60,000 for the provision of a controlled pedestrian crossing on The Calls.
- Travel Plans with monitoring fee of £4000. Reference to the provision of Leeds City Council Car Club parking spaces and free trial membership package of £7265 for the development.
- Public access to public realm.
- Standard employment and training initiatives.
- £600 monitoring fee for clauses that require admin/management/monitoring.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is located within the City Centre Conservation Area and within the Riverside Area as identified in the UDP Review 2006. The site contains a number of buildings originally built to serve trade on the river.

3.2 The existing buildings fronting The Calls are of traditional design and appearance, with the rear elevations onto the riverside being functional and plain in appearance. The open wharf previously housed a storage shed and has been used for car

parking for offices at 2 to 12 The Calls. There is no public access to the site at present.

- 3.3 In recent years the neighbouring site was occupied by Thistle Hotels, as its administrative centre and storage facility. The site was vacated by Thistle Hotels in 2002. Application 07/01174/FU secured refurbishment of 2 to 12 The Calls to be used as offices. The refurbishment of 2 to 12 The Calls is complete and the building is now occupied.
- 3.4 A number of buildings have been neglected, appearing rundown and adversely affect the appearance of the area and the character and appearance of the City Centre Conservation Area. In particular, 18 The Calls has been derelict for a number of years, and is in a precarious state, supported by scaffolding. There is an extant consent for its demolition.
- 3.5 28 The Calls is a small warehouse building, possibly the earliest surviving building on The Calls. However, it has been significantly altered in the 20th Century including rendering of the original brick skin both to the front and rear elevations and alterations of window openings. Internally the structure has again been drastically altered and only the original roof trusses and beams survive.
- 3.6 The Mission Hut is a stone built former Chapel building used by the Leeds canal and waterfront workers in the 19th and early 20th Century. The building has fallen into disrepair and has no viable function at present. 18 and 28 The Calls and The Mission Hut are proposed to be demolished as part of the proposed scheme.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 Application 20/262/03/FU was approved in April 2007 for redevelopment of the site to provide 74 apartments, offices and A3 bar and restaurant uses. This scheme was similar in scale to the current proposal involving the demolition of 14-16 The Calls, 18 The Calls and The Mission Hut.
- 4.2 20/261/03/CA: Conservation area application to demolish storage buildings (14 to 16 The Calls and The Mission Hut
Approved: 03.01.2006. This consent is extant until 03.01.2011.
- 4.3 20/591/01/LI: Listed building application to demolish building at 18 The Calls
Approved 28.12.05. This consent is extant until 28.12.2010.
- 4.4 A study of the hours of use of A3 and A4 premises in the locality has been submitted. This shows a wide variation in closing times from 12 midnight Monday to Thursday at Aire Bar, 32 The Calls to 5am Friday to Sunday at The Oracle, Brewery Wharf.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The site benefits from an extant permission for a multi storey mixed use development approved in 2007 (20/262/03/FU). The proposal was agreed at Panel on 18 August 2005.
- 5.2 In December 2007 Members received a pre-application presentation regarding the scheme presented today. Members commented that the heights of the proposed new build element related to heights of existing buildings in the vicinity; considered

the flood protection proposals; reviewed the relationship between the west building and 2 to 12 The Calls; and raised concerns that noise issues could arise from the A3 uses. Members also commented that the proposed route to the east of the eastern building needed to be of sufficient width to provide suitable public access and to justify removal of 28 The Calls.

5.3 As noted above the scheme was presented to Panel in June 2009 in the form of a Position Statement. The minutes are reproduced in detail within paragraph 1.2. A series of workshops commenced shortly after the June meeting with a view to addressing concerns raised. In July Leeds Civic Trust commented on emerging proposals. The Trust indicated that whilst the overall massing was not inappropriate the solution may be the introduction of some verticality or greater solidity in the elevations, particularly that facing the river.

5.4 In response to the comments of Members and other stakeholders, including the Civic Trust, further workshops involving the Civic Architect have been held during summer and autumn 2009. Issues have been addressed by the applicant and design team to create a stronger architectural expression and an expression that is more contextual in the following ways:

- Opening up the views of the River Aire from The Calls by altering the form and extent of the Warehouse Hill Building's overhang and removing the columns.
- Improving the relationship and connection with The Calls by reorganising the entrance arrangement to the Warehouse Hill building.
- Improving the openness of the public space by remodelling the arrangement of space within the Atkinson Building.
- Improving the visual link from the eastern "contemplative space" close to 32 The Calls and reducing the perceived risk of anti-social behaviour.
- Reducing the impact upon occupiers within 32 The Calls by adjusting the footprint of the Atkinson Building whilst at the same time increasing the width of the public route.
- Transformation of the architectural expression of the Warehouse Hill Building introducing vertical emphasis to the frontage facing the river; the introduction of a stone plinth to provide a strong base to the building and the clear definition of the roof form expressed by a floating façade of copper.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site notices were displayed on 19 November 2008 and on 6 May 2009 in relation to the revised plans. An advertisement was printed in Leeds Weekly News on 27 November 2008. Representations have been received from local residents and the Leeds Apartment Residents Association, the Aire Bar and Leeds Civic Trust. The application has recently been readvertised following the receipt of revised plans.

6.2 Leeds Civic Trust - Letter of 22 May 2009:

6.2.1 The overall form and content of the scheme has not changed and we do not have any significant issues with this. The key factor that has changed is in the materials; we do not believe that simply re-skinning a building designed for stone and granite with brick is the answer. The principal building now looks like an ugly 1960s multi-storey car park on the riverbank. The 'unfinished' flat roof and the horizontally of the glazing would jar with the historic buildings in the area while not being a contrasting crisp modern design. The Trust provided a number of suggestions on how the principal building could be improved:

- Adopting a wedge roof, perhaps reflecting the shape of phase one restored buildings. This would allow some plant to be located higher at the west end and the building height at the east to be lowered.
 - Introducing some verticality into the elevations, particularly facing the river.
 - Welcome commitment to quality landscaping. Selection and maintenance of trees crucial to the character of the space.
 - The stone pyramid could be a draw for skateboarders and would not be relaxing to site on. Raised grassed area would be more appropriate.
 - Within principal space is a missed opportunity to provide for children. This would be an ideal location for a family pub with some outdoor play facilities.
- 6.2.2 Concerns regarding design quality were reiterated in a letter of 14th July (see paragraph 5.3).
- 6.2.3 Officers intend to provide a verbal update to Panel of the Trust's comments on the revised proposals received on 19th November.
- 6.3 Local Residents comments up to June 2009:
- 6.3.1 18 letters of objection and two petitions were submitted in response to the original proposals:
1. Poor Design including the following observations:
 - Historical buildings run linearly to the river - the new blocks will be at right angles blocking views of the river and of no 32 The Calls.
 - The 2nd proposed building is much bulkier than in the previously approved application.
 - The pyramid is a wasted opportunity to create soft landscaping in this area.
 - The buildings are ugly, bland and insipid. "Its appearance is akin to a World War II coastal defence bunker and contributes nothing whatsoever to the visual amenity of area..."
 2. Loss of View from 32 The Calls.
 3. Loss of light and privacy to apartments of 32 The Calls.
 4. Public Safety particularly regarding access to the east of the proposal
 - Public access areas are fraught with potential dangers.
 - Public access areas have potential for anti social behaviour after dark. Should not be 24 hr access.
 5. Concern regarding proposed A3 units including:
 - Late night entertainment and alcohol consumption and its effect upon the residential amenity of 32 The Calls. A 3am licence is not acceptable. States that Aire Bar, Oracle etc have late licences until 1am but outside areas must be vacated by 10.30pm.
 - Use of outdoor terraces should have a restriction i.e. until 10.30 pm.
- 6.3.2 A letter has been received supporting the demolition of the Mission Hut and redevelopment of the site.

- 6.3.3 Residents have been renotified regarding the recent revisions to the scheme. Officers intend to provide a verbal update to Panel of any additional or revised comments received.

7.0 CONSULTATIONS RESPONSES:

Statutory:

7.1 Highways:

Car parking, motorcycle parking and cycle parking is acceptable. Traffic controlled pedestrian crossing on The Calls in the vicinity of Crown Street is required, to provide for a safe route between the proposed development and the city centre. Conditions regarding travel plans and off-site highway works are recommended.

7.2 Environment Agency:

No objections subject to conditions.

7.3 Yorkshire Water:

No objections in principle to the site layout details.

7.4 British Waterways:

Welcome the proposed development, an improvement to the previously approved scheme. A further improvement would be by removing the gated access on the west boundary. Glazed frontages to the commercial ground floor properties are welcomed; however, the façade of the ground floor car parking offers a relatively dead frontage. Waterside barriers like railings should only be used where there is a high-perceived risk of falling into the water or where there is restricted space along the waterside.

Non-statutory:

7.5 Transport Policy:

A framework Travel Plan is required for all the office units and a finalised Travel Plan for the bar/restaurant uses.

7.6 Contaminated Land Team:

Do not require any additional soil sampling to be undertaken, unless any visual and or olfactory contamination is encountered during the additional geotechnical investigations. The site investigation so far has encountered no significant contamination.

7.7 Access:

At least 3 car parking spaces should be designated as disabled car parking spaces. Level access should be maintained from the disabled person's parking space(s) to the principal entrance(s) or in this case, the lift core, and the designated disabled persons parking space should be located as close as possible to the principal entrance, to minimise its users travelling distance.

7.8 Land Drainage:

A Flood Risk Assessment was completed for this site with recommendation for flood defences in line with the Environment Agency's proposal for flood defence in the area. Standard Land Drainage conditions should be applied.

7.9 Public Transport Contribution:

A contribution towards the cost of providing strategic public transport has been calculated in accordance with the Supplementary Planning Document. In this case a contribution of £225,373 should be sought.

7.10 Neighbourhoods and Housing:

There is potential for disturbance to residential accommodation from proposed bar/restaurants, particularly from outside areas. In addition, cooking odours have the potential to affect nearby occupants unless properly controlled. The submission of an additional noise report and conditions are recommended.

7.11 City Services:

No objections.

7.12 Metro:

Metro welcomes development and the restrictive approach to parking for the site. In order to prevent excessive private vehicle use at the site, the measures contained within the travel plan must be enforced.

7.13 Police Architectural Liaison Officer:

Due to the site's location, security is a key element in the design process. Access control, controlled riverside access, lighting and landscaping should be taken into account.

7.14 West Yorkshire Archaeology Advisory Service:

WYAAS recommend that archaeological evaluation by means of trial trenching be undertaken along the street frontage once any proposed demolitions have taken place together with an appropriate degree of archaeological investigation and recording as necessary, with the nature and extent of this investigation to be based on the results of the evaluation. WYAAS further recommend that archaeological work in the form of an archaeological watching brief during construction works be undertaken in the southern portion of the site.

8.0 PLANNING POLICIES:

8.1 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.

YH4 Regional cities

- A Regional cities should be the prime focus for ...leisure...and cultural facilities in the region.
- B Regional cities will be transformed into attractive and safe places by developing a strong sense of place with a high quality of public realm and buildings within a clear framework of routes and spaces (2).

YH7 Location of development

This identifies the need for a sequential approach giving first priority to the re-use of previously developed land and buildings and making effective use of existing transport infrastructure and capacity.

E2 Town centres and major facilities

- A The centres of Regional Cities ...should be the focus for leisure, entertainment, arts, culture, tourism across the region.
- B Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre.

E3 Land and premises for economic development.

Plans and investment decisions should make use of appropriately located previously developed land.

ENV 5 Maximise improvements to energy efficiency and increases in renewable energy capacity.

- A Reduce greenhouse gas emissions, improve energy efficiency and maximise the efficient use of power sources.
- B Maximise renewable energy capacity by (3) promoting greater use of decentralised and renewable or low carbon energy; for developments of more than 1000m² at least 10% of energy secured from decentralised and renewable or low-carbon sources.

8.2 Unitary Development Plan Review

The site is located in the City Centre Conservation Area and the Riverside Proposals Area as defined by the Leeds City Council Unitary Development Plan Review 2006. In the Riverside Area no predominant land use is sought (CC28). The Warehouse Hill proposal area (27a) statement indicates that the site provides a major opportunity to combine new building and public space with conservation of adjoining buildings. A significant element of leisure and tourism uses is particularly suitable. Further, leisure uses are encouraged to spill out into the public space part of the area.

- GP5 All planning considerations
- GP11 & 12 Sustainable Design
- BD4 Mechanical plant should be contained within the building
- BD5 Ensure a satisfactory level of amenity for occupants and surroundings.
- BD6 All extensions and alterations should respect the scale and form of the host building.

- 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
- N16 Extensions to listed buildings should relate sensitively to the original buildings. In all aspects of their design, location, mass and materials, they should be subservient to the original building.
- N17 Wherever possible, existing detailing and all features, including internal features, which contribute to the character of the listed building should be preserved, repaired or if missing replaced. To the extent that the original plan form is intact, that plan should be preserved where it contributes to the special character and appearance of the building.
- N18a Presumption against demolition of buildings or parts of buildings in the Conservation Area that make a positive contribution to the character and appearance of the Conservation Area.
- N18b Consent for demolition in Conservation Areas will not be given unless detailed plans for the redevelopment of the site have been approved. Such permission will be subject to a condition that demolition shall not take place until a contract for the approved scheme of redevelopment has been let.
- N19 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area
- CC3 The identity and distinctive character of the city centre will be maintained by: a) Protecting the building fabric and style b) Encouraging good innovative design and c) Upgrading the environment where necessary.
- CC5 Development in the City Centre Conservation Area.
- CC28 In the Riverside Area a range of land uses is encouraged to ensure vitality throughout the day.
- T2 Development shall be; a) be served adequately by existing or programmed highways or by improvements to the highway network; and b) Adequately served by public transport c) Adequate cycle facilities.
- T5 Satisfactory provision for pedestrians and cyclists.
- T6 Satisfactory access and provision for disabled people and other people with mobility problems will be required within highway and paving schemes, and within new development.
- 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

8.3 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. It is considered that the proposals would meet these objectives as described in the Appraisal section below.

Leeds Waterfront Strategy 2002 (Review 2006)

Guides the regeneration of Leeds Waterfront through use, links and appropriate environmental enhancement.

National Planning Guidance

PPS1 Delivering Sustainable Development
PPG13 Transport
PPG15 Planning and the Historic Environment
PPS25 Planning and Flood Risk

9.0 MAIN ISSUES

Principle of the development
Design
Residential amenity
Demolition of 28 The Calls
Highways
Section 106

10.0 APPRAISAL

10.1 Principle of the Development

Applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The site is located within the city centre and constitutes previously developed land which is largely vacant and inefficiently used. The site is subject to a previous approval for a multi-level mixed use development of residential, office and leisure development with basement parking that remains extant until 2010. The principle of the uses and general scale of the development have therefore been previously established.

The Riverside proposals area (CC28) and related Warehouse Hill statement seek a range of uses to ensure vitality throughout the day; to create a significant publicly accessible riverside space; and to encourage leisure uses to spill out into the public space. The proposed leisure and office uses are entirely in accordance with these objectives. The scale of the current proposal largely reflects the scale of the previous permission, albeit in a different form to that previously approved, whilst bringing forward a more extensive area of public space. The proposals are in accordance with the Unitary Development Plan (Review). RSS policies emphasise the role of Leeds as the regional centre (YH4), recognising the role of the city in delivering employment and leisure uses in sustainable locations (YH7). The scheme accords with those priorities. The development is therefore in accordance with the development plan.

10.2 Design

Following comments made in response to the scheme considered in June the architectural expression of the scheme has been fundamentally reviewed and significantly improved. Section 5.4 above summarises the key changes to design.

The form of the western Warehouse Hill Building has been strengthened creating a contemporary but contextual response to the location. The use of a stone plinth creates quality and a suitable base for the building, whilst integrating well with the public space to the east. Verticality has been successfully introduced into the building to provide references back to the traditional warehouse vernacular. The top

floor has been addressed through positioning and materials. The use of patinated copper cladding which wraps over onto the east elevation adds quality.

Visual connections to the site and the river have been improved in two ways. Elevated eastern projections to the Warehouse Hill Building have been cut back and pillars removed to improve visibility and create a cleaner, simplified, form. The frontage of the building has also been rearranged to encourage movement into the site.

At the eastern end of the site elements of the Atkinson Building have been rearranged so as to create a stronger presence on the riverside and to better address the public space.

10.3 Residential amenity

Subtle but important changes have been made to the Atkinson Building to help address concerns regarding the direct impact of the building on occupiers of 32 The Calls. The main building has been pulled away from the boundary (from 2.2m to 2.9m) and reduced in projection beyond the rear elevation of 32 The Calls (from 14.8m to 13.2m). Whilst reducing the physical presence of the building the corresponding increased width of the pedestrian route should help to reduce the perceived risk of anti-social behaviour.

The landscape proposals for the “contemplative space” at the eastern periphery of the site will ensure that it cannot accommodate any outdoor bar furniture, thereby reducing the potential for noise disturbance from this location.

It is intended to limit the hours of use of the A3/A4 uses to 0100 hours Monday to Saturday and midnight hours on Sundays. Consistent with the Aire Bar the use of the external area would not be permitted after 2230 hours. The building would need to have appropriate noise and odour mitigation installed before commercial use commenced.

10.4 Demolition of 28 the Calls (Atkinson Building)

It is suggested that 28 The Calls is a building with late 18th/early 19th century origins. It is probably the earliest building surviving on The Calls and is of interest as the last surviving small warehouse building served from the river. However, it is greatly altered externally and, as an unlisted building, it is the external appearance that the building is judged on. The original brick skin has been rendered and the window openings have been altered, taking on a classical *palazzo* guise. The rear of the building has also been rendered but without the architraves and string courses that mark the front elevation. It has lost its original appearance and the new appearance has neither group value nor makes a strong contribution to the Conservation Area in its own right. The contribution of 28 The Calls to the conservation area is neutral to slightly positive.

Information on the viability of retention and the argument in favour of demolition to allow access to the riverside and circulation through the new public space has been provided. It is not possible to adapt or reuse the building without major reconstruction, which is un-economic, and would change the building form yet further. However, in cases where existing buildings make no or a slight contribution to a conservation area PPG15 advises that we should set aside the usual presumption in favour of retention and consider the merits of the replacement

building. The design of the replacement building has been considered at length and the opinion of the Local Planning Authority is that it will be a high quality infill which will enliven The Calls frontage and also provide opportunity for a public access route into the site.

The demolition of The Mission Hut and 14-16 The Calls have been previously agreed through earlier consents and their removal formed part of the previously agreed scheme. Their removal continues to be justified by the benefits of the current proposals.

10.5 Highways

The principle of the recently refurbished 2 to 12 The Calls offices and the proposed office/A3 uses sharing car parking at basement level is acceptable. Cycle and motorcycle parking is accepted. A traffic controlled pedestrian crossing on The Calls in the vicinity of Crown Street will be delivered which will provide a safe route between the proposed development, and the city centre and assist with wider connectivity in the area.

10.6 Section 106

The Section 106 Agreement will include the following:

- Public transport contribution of £225,373 for the whole development including £30-40,000 for the provision of the controlled pedestrian crossing on The Calls.
- Travel Plans with monitoring fee of £4000. Reference to the provision of Leeds City Council Car Club parking spaces and free trial membership package of £7265 for the development.
- Standard employment and training initiatives.
- Accessibility to public areas.
- £600 monitoring fee for clauses that require admin/management/monitoring.

11.0 **CONCLUSION**

11.1 Through the viability study and the quality of the proposed scheme the applicant has provided suitable justification for the demolition of existing buildings within the site whilst retaining and refurbishing 20-24 The Calls. Consequently, subject to an appropriate condition regarding the implementation of the redevelopment scheme, the Conservation Area application (reference 08/05309/CA) is recommended for approval.

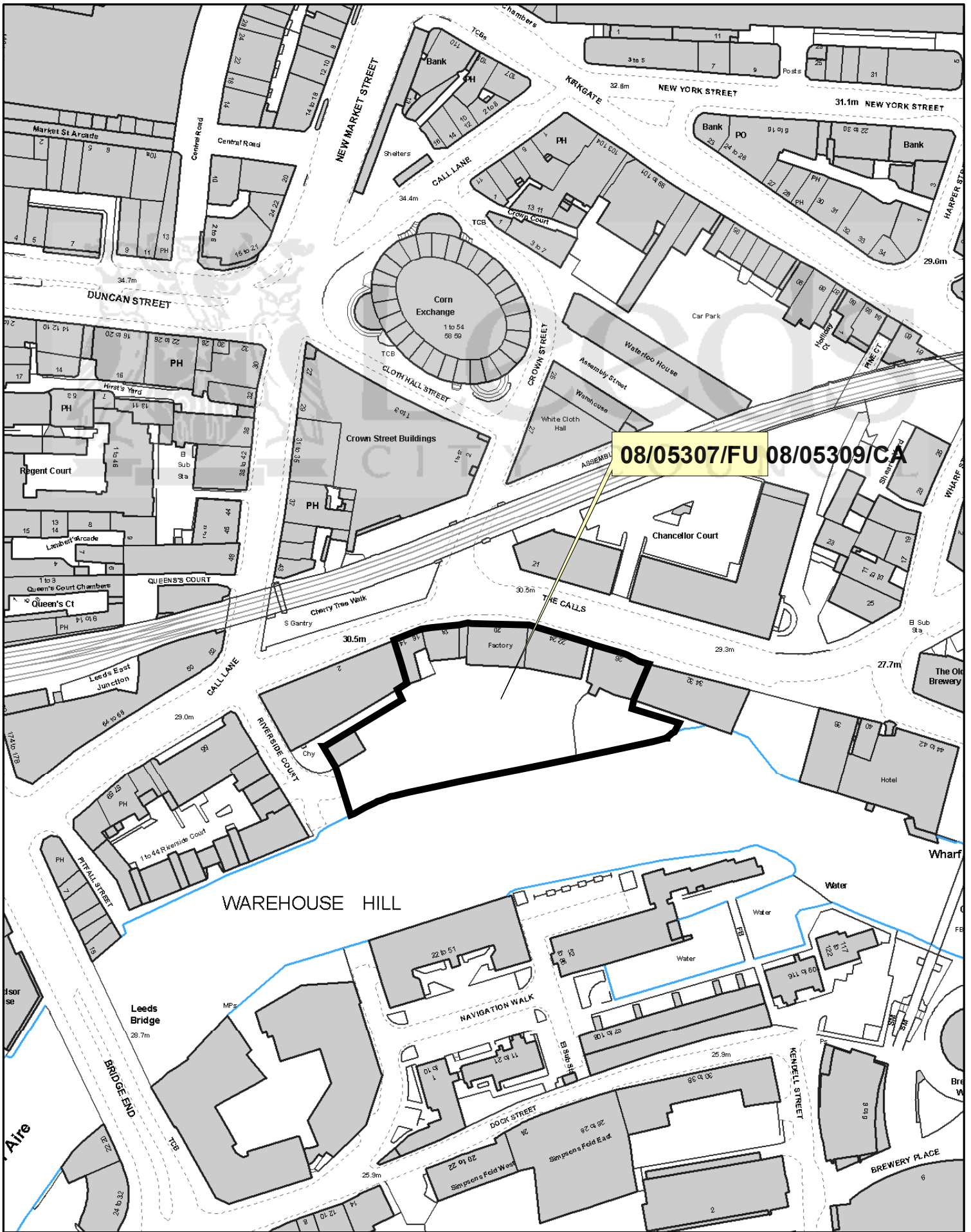
11.2 The proposed development will have an impact upon occupiers of nearby properties. However, an extant scheme would have a similar effect if implemented. Conditions would be imposed to control and mitigate the impact. The scheme now entails quality architecture and public realm, and would bring forward an efficient and sustainable use of previously developed land in a highly accessible city centre location. Further, the proposed mix of uses is entirely appropriate and would contribute to the vitality and viability of the local area and the regional role of the city centre. As such, these considerations outweigh the concerns regarding the potential impact on amenity. As a result the application is recommended for approval subject to appropriate conditions and the completion of a Section 106 agreement.

Background Papers:

Application Files 08/05307/FU and 08/05309/CA

Historic Files: 20/262/03/FU, 20/261/03/CA, 07/01174/FU, 08/01340/FU & 08/00353/FU

Certificate of ownership – signed on behalf of applicants.



08/05307/FU 08/05309/CA

CITY CENTRE PANEL



Scale 1/1500

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