



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 4th February 2010

Subject: DEVELOPMENT OF LEEDS ARENA BY LEEDS CITY COUNCIL AT SITE BOUNDED BY CLAY PIT LANE / INNER RING ROAD / WADE LANE / JACOB STREET / BRUNSWICK TERRACE, LEEDS. APPLICATION REFERENCE 09/04815/0T

Electoral Wards Affected:

City and Hunslet, Hyde Park and Woodhouse

Ward Members Consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This Position Statement is brought to Panel for information and to seek Members comments on the proposals.

1.0 Introduction:

1.1 This application is brought to the Plans Panel by virtue of the significant cultural and economic importance of the arena and due to its role in regenerating the site and the surrounding area.

1.2 Plans Panel received pre-application presentations on 18th June, following a site visit, and 8th October. In the intervening period a Member workshop took place on 13th August, and pre-application public consultation events ran through September and October.

1.3 The purpose of this report is to:

- confirm the details of the application
- identify relevant planning policy
- report initial consultation responses;
- identify outstanding issues for the application; and
- to seek Members' comments on key issues relating to the application.

2.0 Site and surroundings:

- 2.1 The application site is bounded by Clay Pit Lane to the west, the Inner Ring Road to the north, Wade Lane to the east, and Jacob Street and Brunswick Terrace to the south. The site also abuts Yorkshire Bank offices on the south-western boundary. Elmwood Road currently dissects the site. In total the area extends to approximately 2 hectares.
- 2.2 The western fringe of the site is located at a local highpoint with ground levels falling towards the north, the city centre and across the site towards the east. The Inner Ring Road sits approximately 6 metres lower than the site beyond a retaining wall.
- 2.3 Much of the site has been used for surface car parking for a considerable period. There is additional on-street parking on Elmwood Road. The former Leeds Metropolitan University Brunswick Building situated on the south-western quarter of the site was demolished in advance of the arena development. There are rows of trees on the site boundary fronting Clay Pit Lane and Brunswick Terrace, and along Elmwood Road.
- 2.4 The surrounding area is characterised by a number of large scale buildings, several of which have been recently completed. Most recently, the 37 storey Plaza tower on the west side of Clay Pit Lane and the 25 storey Opal Tower at the eastern end of the site, both contain student accommodation. Tower House and Merrion House on Merrion Way, and Hepworth House on Clay Pit Lane, are earlier blocks containing office and educational uses. To the south of the site, Yorkshire Bank and the Merrion Centre, and to the north, the HBOS building are other notable large buildings.
- 2.5 To the north/north-east of the site the areas of Little London and Lovell Park contain significant areas of housing including accommodation ranging from single storey almshouses and low-density buildings to 17 storey tower blocks. There are also areas of open space, including Lovell Park itself.
- 2.6 Queen Square Conservation Area is situated on the west side of Clay Pit Lane. Pedestrian routes in the area are fragmented by major highway infrastructure and some of the larger building plots.

3.0 The structure of the application:

- 3.1 In accordance with the approach reported to Panel in June and October 2009 the application is submitted in outline form. The application identifies details of the proposed use and access, and is supported by parameter plans and drawings identifying the proposed maximum and minimum tolerances of the arena building (section 4 below).
- 3.2 The application is supported by a range of technical documentation:
- Design and access statement.
 - Planning statement.
 - Statement of community involvement.
 - Economic statement.
 - Foul sewerage and utilities assessment.
 - Tree survey.

- Wind study.
- Sustainability statement.
- Flood risk statement.
- Transport assessment.
- Travel plan.
- Environmental Statement.

3.3 The Environmental Statement covers the following issues:

- The site, surroundings and description of proposals.
- Assessment of alternatives.
- Townscape and Visual Impact Assessment.
- Transport and Access.
- Air quality.
- Noise.
- Water resources, hydrology and drainage.
- Waste.

3.4 These chapters are summarised in the Environmental Statement non-technical document.

4.0 Proposals

4.1 The application comprises:

- The construction of up to a 12,500 seat arena. The capacity could increase up to 13,500 when seating is retracted at event floor level to create standing room. The building would have a maximum gross internal floor area of 24,500m²
- The arena building would contain related ancillary eating, drinking and retail concessions only operating when an arena event is on. There would also be a 300m² concourse restaurant within the building which would open all year round.
- The laying out of new access road and pedestrian footpath following the Inner Ring Road boundary to a new junction with Wade Lane.
- The provision of new public realm primarily between the arena building and Clay Pit Lane.

Further details are provided below.

4.2 Site arrangement

4.2.1 The proposed building is predominantly positioned towards the eastern side of the site. The location largely responds to the change in levels across the site and to servicing facilities accessed via the proposed service road from Wade Lane. Key east-west and north-south axes of the building relate to the alignment of existing development on the southern periphery of the site. The arrangement enables the area of public realm to maximise benefits from natural light and ventilation. At the same time the area of public realm relates to and links directly with pedestrian access into the arena building. The public realm responds to the space within Queen Square and produces a new pedestrian route from neighbourhoods to the north towards the city centre. The footpath on the north eastern periphery of the site creates a new convenient pedestrian route from east to west extending the existing network of footpaths leading towards New Briggate and Lovell Park.

4.2.2 The red line site boundary excludes two areas adjacent to Clay Pit Lane which would be subject of separate proposals in the future. It is intended that development of these areas would help to frame the piazza space and would assist in screening the space from traffic on Clay Pit Lane. Potential uses could include restaurants, cafes and a hotel. In the interim the areas would be landscaped.

4.3 Building use

4.3.1 The arena would have a flexible design to accommodate a range of events from music and family entertainment to sporting events. The fan shaped design reduces viewing distances and removes redundant seats behind the stage. The expected frequency of events is set out below:

Event type	Expected attendance	Annual frequency
Music events	Range up to full capacity	59
Sport events	6500	2
Boxing events	Maximum	1
Family shows	5625	22
Musical stage shows	5625	20
Exhibitions	5000	18
Other	3750	20
Total		142

4.3.2 It is likely that musical events would commence around 1900 hours and finish between 2200-2300 hours. A small number of events, such as boxing, may not finish until 0200 hours. Due to requirements for servicing and dismantling of stage equipment following events the arena would be operational 24 hours a day.

4.3.3 The arena building would contain ancillary restaurants, bars and retail concessions that would only be open at event times. There would also be a concourse restaurant that would open independently of arena opening hours. The restaurant would be situated facing the piazza so as to add vitality to the area on non-event days. Details of the scale and location of the restaurant would be finalised at detailed design stage although it will be no larger than 300m². The arena box office would be open from 1000-1800 hours on non event days and from 1000-2100 hours on event days.

4.4 Building parameters

4.4.1 The parameters of the building have been set to enable a degree of flexibility in developing the detailed design. The building would taper from the public entrance and auditorium at the western side to the covered service area at the eastern extreme of the building. Better appreciation of the potential building mass is obtained by reviewing the drawings and sections. However, the parameters identify the following dimensions:

Main arena

Maximum ground level north-south width - 120 metres at west end

Minimum ground level north-south width - 98 metres at west end

Maximum ground level north-south width - 93 metres at east end

Minimum ground level north-south width - 77 metres at east end

Maximum roof level north-south width - 125 metres at west end
Minimum roof level north-south width - 99 metres at west end

Maximum roof level north-south width - 60 metres at east end
Minimum roof level north-south width - 45 metres at east end

Maximum height 39.5 metres at west end
Minimum height 32.5 metres at west end

Maximum height 32 metres at east end
Minimum height 28 metres at east end

- 4.4.2 The south eastern corner of the building close to the junction of Brunswick Terrace and Jacob Street would primarily contain offices and dressing rooms. This part of the building would be a maximum of 11 metres in height (minimum of 8 metres in height).
- 4.4.3 To the east of the main arena building the service area would include the rear loading area and acoustic canopy. This part of the building would be both narrower and lower than the main mass of the arena building. The service yard canopy would slope down from its point adjacent to the stage area to its eastern extreme north of the Opal 3 tower. The maximum height of the canopy would be 11.5 metres (minimum height 8.5 metres) adjacent to the stage and a maximum height at the eastern end above Elmwood Road of 10.5 metres (minimum 8.5 metres).
- 4.4.4 Paragraph 2.4 refers to the urban context and the large scale buildings in the vicinity of the site. The Visual Impact Assessment and submitted sections illustrate how the scale of the building would be subsumed into the cityscape, particularly in medium to distant views. Closer up, the scale of the building is clearly more apparent although the magnitude of impact varies depending upon the viewpoint and sensitivity of the viewer. The Environmental Statement concludes that the effect of the completed building on nearby residents, shoppers and business users would be primarily neutral though observes limited negative impacts on residents within properties to the east of the site. It is proposed to mitigate the impact through limiting the scale of the building and providing quality landscaping.
- 4.4.5 Officers have raised concerns regarding the potential proximity of the building to the Brunswick Terrace and Jacob Street boundaries. The applicant is currently exploring how to accommodate an acceptable level of space between the building and edge of the site.

4.5 Design philosophy

- 4.5.1 It is intended to provide a building with a high quality external appearance with an integrated approach to the nature of the building and public realm. The outline design for the building has been influenced by the following design principles:
- Minimising the footprint of the arena – seeking the most efficient use of the site
 - Creating clear and distinct volumetric zoning – considering the three dimensional impact of the building
 - Develop banded stratification of function – identifying the differing layers of operation and visitor interaction
 - Responding to the characteristics and constraints of the site

- Natural light and ventilation
- Clear pedestrian flows – providing a well-defined and signposted public realm and movements from the city centre
- Zoned servicing approach

4.5.2 These principles will be followed to develop the detailed design of the building for the reserved matters submission. The choice of materials is noted as being of central importance.

4.5.3 The Design and Access statement discusses the elevational strategy for the building. Each of the elevations will be considered in response to the scale, use and massing of neighbouring buildings and spaces.

- The Brunswick Terrace elevation will reflect the internal staff and office functions
- The west, entrance, elevation will create a sense of anticipation on arrival, animating the piazza. The elevation may be glazed to allow movement and forms within to be viewed from outside.
- Elevations viewed from the Inner Ring Road are a showcase for the city
- The “back of house” functions will be screened and the elevation will provide a high quality appearance when viewed from Wade Lane and the Inner Ring Road.
- The main bowl of the arena would be conceived as a spectacular and identifiable form that creates a unique identity for the building.

4.5.4 The elevational treatment will be developed from these sectional requirements.

4.6 Public realm and landscaping

4.6.1 The site currently contains no public realm and has limited amenity value. Reference to the location of the area of public realm was made at paragraph 4.2 above. Flexibility within the building parameters is such that the final scale of the public realm is undefined at the current time although the area would be in the region of 25-30 per cent of the site. The main piazza would be between 40-65 metres from the front entrance of the building to Clay Pit Lane. The space would extend northwards between the building and proposed development plot and open out in a southerly direction to Brunswick Terrace. Officers have commented that the likely pedestrian flows to and from the city centre suggest that Brunswick Terrace and the Clay Pit Lane frontage should also be integrated within the area of public realm.

4.6.2 The detailed design of the piazza will come forward as part of the reserved matters submission, responding to the detailed design of the building. There is a potential that on event days the public space would effectively extend into the arena entrance foyer. The piazza will incorporate a mixture of hard and soft landscaping intended to create a high quality public space and the main pedestrian gateway into the arena building. The landscaping scheme will ensure that security features are integrated into the overall design of the piazza. Level changes throughout the public realm will be minimised to encourage ease of movement.

4.6.3 The Design and Access statement identifies key landscaping principles reflecting the concept plan. It is stated that the majority of existing trees along Clay Pit Lane and Brunswick Terrace will be retained. Areas of primarily hard landscaping are proposed for areas of heavy pedestrian footfall. There would be differentiation in materiality between pedestrian and shared surface areas. Opportunities for soft

landscaping would be considered where pedestrian footfall is less intense. A potential for soft landscaping along the Clay Pit Lane frontage, and between Opal 3 and the rear of the arena is also identified. The potential for the use of a green wall and a green roof to the service area is also being explored.

4.6.4 The objectives of the soft landscaping are to:

- Provide a clear edge to the site
- Create a visual and conceptual link between the site and Queen Square
- Guide pedestrian movement through and across the arena site
- Improve the visual amenity of the area
- Soften the scale of the arena
- Provide additional biodiversity value

4.6.5 A lighting strategy will be developed as part of the reserved matters submission. It is intended that the arena will be illuminated to add to the sense of arrival and to enhance the design of the building. The lighting strategy will also consider safety requirements and respect neighbouring uses.

4.7 Access and connectivity

4.7.1 Detailed approval of access proposals are sought. This includes accessibility to and within the site for vehicles, cyclists and pedestrians in terms of the positioning and treatment of the access and circulation routes and how these fit into the surrounding access network. The application is supported by a Transport Assessment which seeks to demonstrate how the trips associated with the arena could be safely and satisfactorily accommodated. The Travel Plan identifies a number of measures intended to promote greener travel choices and to reduce reliance on the car. The Access Plan summarises physical improvements and access proposals in the vicinity of the site.

4.7.2 Pedestrian access

(a) On site

Existing pedestrian access across the site is extremely poor. The laying out of the piazza will add a new high quality north-south route. The footway alongside the Inner Ring Road would create a new route assisting east-west movement and link up with footpath networks to the east of the site.

(b) Off site

The site is located approximately 1200 metres from the bus and coach station and slightly further to the train station. Options such as taxis and commercial bus services are available for those who the walking distance would be unsuitable.

Following an audit of pedestrian routes improvements are identified in the following areas.

- New signal controlled crossing on Clay Pit Lane to replace the existing crossing close to Providence Place. The crossing would be positioned at the western edge of the piazza. Whilst the design of the crossing has not yet been developed it is envisaged that the facility would be designed to enable high volumes of pedestrians to cross Clay Pit Lane in a single movement.

- New uncontrolled crossing on Merrion Way between the Merrion Centre and Brunswick Terrace.
- Footway improvements on Merrion Way.
- Pedestrian crossing facilities on Wade Lane, to the south of the Merrion Way junction.
- Pedestrian crossing facilities would be included within the new site access junction.
- Subway improvements close to Woodhouse Lane multi-storey car park.
- Minor footway widening close to the junction of Woodhouse Lane and Clay Pit Lane (outside the former Coburg).
- Improvements to Providence Place and Queen Square Court.
- Improvements to the pedestrian access to Woodhouse Lane multi-storey car park are also envisaged which would improve safety and also accessibility to disabled persons car parking spaces.

Pedestrian access proposals would be supported by signposting between the site and key locations within the city centre, and supplemented by the production of a map to identify pedestrian routes. Travel Plan information boards will also be provided within the arena. The arena will be incorporated on the City Map.

The need for additional improvements, such as to Blenheim Terrace, Clay Pit Lane, and crossing facilities at the junction of Clay Pit Lane and Merrion Way, is currently being considered.

4.7.3 Public transport

There are several bus stops located adjacent, or close, to the proposed development providing good public transport links. In the future, the planned introduction of NGT will further enhance this provision. Bus operators have indicated that they would consider alterations to later evening services, involving relocation of services onto the Headrow, to reduce walking distances from the arena following events.

Metro have requested improvements including new shelters, live bus information displays, and raising of kerbs to several of the existing stops. Metro have also requested a live bus information display within the development. These details are currently being discussed with the applicant. Consultation will also be undertaken with Metro regarding the provision of discounted ticketing.

The level of public transport contribution generated by the Public Transport Improvements and Developer Contributions SPD is currently being discussed with the applicant.

4.7.4 Cycling

The arena is within easy cycling distance of a large part of Leeds. The arena therefore offers great potential for staff and visitors to cycle to and from the arena. The following improvements are proposed to cycling infrastructure:

- Provision of a continuous cycle lane along Clay Pit Lane to address the current break in provision
- Secure cycle parking within the arena development
- Shower, changing and locker facilities for staff
- Signposting of routes

4.7.5 Coach and taxi

A number of options for coach and taxi parking have been explored through the application process. Road safety, accessibility and amenity considerations have all been considered. It has been concluded that the most appropriate arrangement would be to locate coaches on Wade Lane, utilising existing pay and display spaces. Taxis would utilise the new access road with drop off and pick up in the turning circle close to the arena entrance. A layover area for coaches remains to be identified.

4.7.6 Vehicular access

There would be limited vehicular access to the site with provision only for disabled drivers, taxis, servicing and emergency vehicles. A new two way access road would run along the northern boundary of the site. The road would run from an improved junction with Wade Lane to the east of Opal 3 and terminate at a turning head approximately 20 metres east of Clay Pit Lane. The northern half of the road would be private.

4.7.7 Car parking

Approximately 250 long stay car parking spaces would be removed from the site as a result of the development. The arena development does not provide new car parking facilities other than some spaces for disabled people. The parking strategy for the arena is based upon the utilisation of existing city centre car parks. There are approximately 2,880 publicly available parking spaces within 400 metres of the site. Woodhouse Lane multi-storey car park would be the main arena car park with additional provision from other city centre car parks. A detailed management strategy, including variable message signing, would be required to ensure that vehicles accessed available parking facilities without unduly affecting the highway network. Works to Woodhouse Lane multi-storey car park would be required including the replacement of the existing barrier system with a pay and display arrangement.

On-street parking for arena visitors within Little London and Lovell Park permit controlled zones would be actively discouraged to protect amenity. This would be achieved by extending the hours of existing permit regulations and/or by introducing additional zones where necessary. The precise details will be determined through the Traffic Regulation Order process that would be subject to consultation.

13 disabled persons parking bays are to be laid out alongside the site access road. 5 additional bays would be provided on Tower House Street replacing existing pay and display spaces. There are existing disabled person's spaces in Brunswick Terrace (6), Belgrave Street (9) and Portland Crescent (6) which would be retained. Consequently, up to 39 spaces are currently identified. The applicant is investigating the potential for the provision of additional spaces within Queen Square and along Merrion Way. Improvements to access from Woodhouse Lane multi-storey car park would also enable additional disabled persons parking bays to be provided in that car park.

4.7.8 Travel Plan

The main objective of the Travel Plan is to reduce car trips associated with the arena, particularly single occupancy car journeys. In addition to those facilities referred to above the following potential measures for arena visitors and staff are identified in the Travel Plan to encourage trips by sustainable modes of transport:

- Travel information when purchasing tickets
- On site information for visitors
- Discounted travel tickets
- Dedicated bus services
- Flexible working hours for staff
- Teleconferencing
- Car sharing and car clubs
- Cycle and equipment purchase

The deliverability of some of these measures will be dependent upon detailed consideration by the operator and discussions between the operator and others such as Metro and artistes.

4.8 Sustainability

The Sustainability Statement documents the performance of the proposals in relation to the four key sustainable development themes:

- Environmental performance
- Natural resources
- Economic performance
- Social performance

The arena aspires to set a new benchmark for sustainable performance of arenas in the UK with a BREEAM rating of “very good”.

4.8.1 Environmental performance

The environmental performance of the arena is critical to it achieving a “very good” sustainable BREEAM rating. Priorities include minimising energy use and CO₂ emissions; utilising sustainable modes of transport; protecting and enhancing landscape and biodiversity; and operation of the site in an environmentally considerate manner.

The arena will use efficient building services to improve its environmental performance. The main boilers will use low emission technology combined with advanced control mechanisms. Heat recovery systems and chilled water units will minimise operation processes.

There will be a significant fluctuation between base and peak energy demands at the arena. High energy performance standards will minimise the requirement for heating and cooling; reduce the reliance on artificial lighting and minimise heat loss and gain.

Although the detailed energy scheme continues to be developed as part of the overall scheme the arena project has committed to produce 10% of its energy through a mixture of on-site renewable and low carbon energy sources in line with RSS Policy ENV5. A feasibility study details the low and zero carbon technologies that can be delivered. In particular, the report concludes that Combined Heat and Power will deliver the majority (8%) of low carbon energy. The CHP plant will be supported by zero carbon technologies which may include solar thermal, photovoltaics and wind turbines. Provision will also be made to link into a future District Heating and Cooling network.

4.8.2 Natural resources

The development will pursue the following objectives:

- Minimise the amount of potable water used
- Source materials from environmentally and socially responsible sources
- Reduce waste through design and maximise re-use and recycling of materials during construction and operation
- Improve the resilience to climate change

4.8.3 Economic performance

The project aim is to deliver an annual economic impact into the Leeds economy of £25.5m per annum (net cumulative GVA of £376m by 2030). Recent estimates predict the creation of 453 full time equivalent jobs directly attributable to the arena. The maximum number of construction jobs (364) would peak in 2011/12.

The Sustainability Statement refers to the wider economic benefits of the arena being the ability to attract and retain residents; an improved quality of life; the stimulation of further development and regeneration; attracting business to the city; and an improvement to the city's profile.

4.8.4 Social performance

The arena aims to raise the profile of Leeds, enhancing the northern quarter of the city and fostering civic pride. The Council has set a range of social responsibility targets through benchmarked contractual agreements. These include a target of 25 educational visits a year and 120 work experience placements. Additionally, the scheme will provide training and employment opportunities. Contractors will be required to create 100 jobs using Job Centre Plus or equivalent schemes. Preference will be given to residents in wards surrounding the arena, followed by residents of Leeds. The contractor will also be required to provide 90 apprenticeships for the construction stage of the development.

4.9 Noise

- 4.9.1 Noise emissions would arise during the construction and operational phases of the development. This has the potential to affect occupants in nearby residential accommodation. During construction the main sources of noise would be from construction plant, activities on site and the transportation of materials to and from site. During the operation of the arena noise from music, building services equipment, service yard activities, road traffic and patrons have been considered as part of the Environmental Statement.

5.0 **Statutory Consultations**

English Heritage (17.11.09)

Do not wish to offer any comments.

Environment Agency (14.12.09)

We have no objection to the scheme subject to a condition to improve the existing surface water disposal system.

Government Office for Yorkshire and the Humber

No response.

Highways Agency (2.12.09)

Extensive pre-application discussion has taken place to agree trip generation, modal split assumptions and trip distributions. Assessments show that strategic road network junctions will operate satisfactorily and no physical improvements to the junctions are necessary.

The Agency supports the use of sustainable transport modes. A small number of changes need to be made to the Travel Plan before the Agency can support the application.

Highways (10.12.09)

It is noted that both the Design and Access Statement and Transport Assessment (TA) state that existing pedestrian routes in the vicinity of the site will be improved. Available information predicts that a high proportion of people will travel by car and there will be a significant number of journeys. The larger events must be catered for as must matinee events when Clay Pit Lane will be much busier than following an evening event. Clarification of management arrangements for Woodhouse Lane car park needs to be provided. Distribution of traffic onto the strategic road network also needs further consideration. Additional modelling is currently being undertaken reviewing the impact on available capacity at several junctions.

The TA demonstrates that for evening and weekend matinee performances there is sufficient car parking available in the city centre car parks. However, there is less capacity for weekday matinees. The TA recognises the need to alter the operation of Woodhouse Lane car park to enable free flow in and out, although no consideration has been given to how other car parks will operate with arena traffic. A signage strategy needs to be developed for the car parks. The TA states that residential areas will need to be protected from parking by arena visitors and proposes to alter Traffic Regulation Orders. Appropriate levels of car parking for disabled persons in convenient locations needs to be identified. Motorcycle parking also needs to be accommodated.

Footways in the vicinity of the site need to be a suitable width to prevent pedestrians being forced to step into the road. Particular concerns relate to Merrion Way, outside the former Coburg public house, and access across Wade Lane. The maximum parameter plans also show an unacceptable narrowing of Brunswick Terrace. The TA recognises the need to improve pedestrian access around level 1 of Woodhouse Lane car park.

Further details of how a continuous cycle route along Clay Pit Lane need to be provided and further consideration given to other existing and potential cycle routes.

Some bus stops in the area need to be enhanced.

The arena proposals need to be tested against a scenario with NGT.

There needs to be appropriate provision for taxis and for up to 30 coaches. There will also be a demand for taxis, the public and private hire to drop off and pick up

close to the arena. A coach layover area and show vehicle holding area need to be identified.

Leeds Bradford International Airport (8.12.09)

There are no specific objections. Conditions regarding lighting recommended.

Natural England (27.11.09)

It is agreed that the site will not support protected species. There are records of bat activity close to the site such that lighting should be positioned to avoid lighting bat roosts. Tree removal should be outside the bird nesting season. New tree planting should utilise native species. The design of new built structures and open spaces should be informed by sustainable building techniques.

Yorkshire Forward (3.12.09)

Yorkshire Forward state that they have made a financial commitment towards the project and therefore support in broad terms the proposals put forward. The project will contribute towards the delivery of RES Objectives 6E(ii) to develop cultural assets; and welcome the intention to seek 10% of the arena's energy needs from on-site renewable and low carbon energy sources which will contribute to RES Objective 5C(ii).

Yorkshire Forward recognise that it would be difficult to achieve BREEAM Excellent and consider that BREEAM Very Good would be acceptable.

The scheme has potential to make a strong contribution towards the architecture of Leeds by providing a key landmark for the city centre. The development of the arena would make an important contribution towards the renaissance of the northern quarter of the city centre.

Yorkshire Water (4.12.09)

The layout indicates that affected sewers will be diverted or abandoned which is acceptable. The submitted Flood Risk Assessment is satisfactory. The Foul Sewerage and Utilities Assessment is satisfactory. Conditions are recommended to protect the local aquatic environment and YW infrastructure.

Non statutory consultations

Metro (17.11.09)

There is spare capacity on buses and trains at times of events. The public transport splits seem very low. If projections were higher it may justify more services. Bus promotion measures can be successful. Some services could be started at the Headrow rather than bus station after events.

Bus shelters should be provided at two bus stops at a cost of £10,000 each. Live bus information displays should be erected within the development and at 4 existing bus stops. All kerbs should be raised and bus stops built parallel to the kerbside in the area around the arena. Good pedestrian access to bus stops should be provided.

Leeds Civic Trust (30.11.09)

LCT supports the application whilst making the following observations:

- The arena will only work if it can be fully integrated into the operation of the city centre.
- As large numbers will inevitably come by car there must be a seamless transition from roads, to car parks to the arena, including comprehensive direction signage.
- Pedestrian routes must be clear, direct, suitably finished and wide enough and clearly identified.
- Consideration has been given to the way the arena will be serviced, but there are concerns should coach/taxi/drop off and parking extend into residential streets to avoid parking charges.
- The arena development must link to the wider transport strategy.
- Surrounding buildings, particularly the casino, need to be carefully considered as many were not designed as principal frontages.
- Highways around the site, such as Brunswick Terrace and Tower House Street, need to be integrated into the site.
- Clay Pit Lane will need to be calmed and more space given to pedestrians at the junction with Woodhouse Lane.
- The external appearance of the building will be a key issue for the Trust.

West Yorkshire Archaeology Advisory Service (30.11.09)

There are no apparent significant archaeological implications.

Leeds District Police Architectural Liaison Officer (17.12.09)

A condition is recommended to ensure that a security strategy is submitted.

LCC Health and Environmental Action Service (20.1.10)

The potential 24 hours a day 7 days a week use could affect nearby residents through noise disturbance from a number of sources.

Discussions with the applicant and their representatives have resulted in agreed criteria for noise from construction, entertainment, building services, and the service yard which should be satisfactory in preventing a loss of amenity to local occupants from these aspects. At the present time the likely effect of noise from patrons when leaving the premises is to be confirmed, but is not expected to be significant. However, potential noise disturbance from the use of event vehicles using the site access road, and the part of the public highway immediately beyond are issues upon which we are continuing to work.

The service yard is to the East of the arena, in close proximity to the Opal 3 flats and sheltered housing complex. The number of wagons for a typical event would be around 12, although this may be as high as 25. It is understood that show vehicles may load up and leave the site between 23.00 and 07.00. The extent of night time vehicle movements is dependant on the requirements of the event taking place and the artist involved.

The vehicles used for events will create a level of noise as they travel along the site access road and onto the public highway of Wade Lane/Lovell Park Road. The submitted information considers that the overall effects on noise levels from

increased road traffic will be negligible. However, the maximum noise levels, and the potential number of noise events, is more relevant in determining the level of disturbance local residents are likely to experience.

Discussions are continuing with the applicant to determine the extent of the disturbance from show servicing vehicles. Possible solutions to the problem are being requested and, in the absence of effective mitigation measures being forthcoming, recommendations to try and control this problem will be suggested.

LCC Land Drainage (8.12.09)

The Flood Risk Assessment outlined the issues relating to flood risk and land drainage. The proposals to deal with the small risk that surface water flows may lead to flood risk seem satisfactory at this stage. Conditions are recommended to clarify works for dealing with surface water discharges, including the feasibility of infiltration drainage methods, and to ensure that existing peak flows are reduced by a minimum of 30%.

LCC Land Contamination, Sustainable Development (14.12.09)

The submitted report indicates that the site has some low levels of contamination present. These are to be placed under hardstanding. Conditions are recommended to ensure that a brief remediation statement is submitted.

LCC Streetscene Services (23.11.09)

The refuse collection arrangements look acceptable.

LCC Entertainment Licensing (30.11.09)

Entertainment Licensing have no issues with the planning application.

7.0 Public / local response

7.1 Pre application publicity

7.1.2 Pre-application presentations were made by the developer's team to Plans Panel on 18th June and 8th October.

7.1.3 Pre-application consultation ran from 12th September to 16th October. Following extensive publicity an exhibition was displayed at the Merrion Centre (12-19.9.09), the City Museum (21-29.9.09), the Central Library (28.9-3.10.09), Leeds city station (5-9.10.09), and Little London Community Centre (13-16.10.09). Neighbouring landowners, such as Yorkshire Bank, TCS, Grosvenor Casino, HBOS and Opal, were consulted. Meetings with stakeholders including Leeds Civic Trust, Metro, the Highways Agency, Leeds Youth Council and Leeds Independent Disability Council have also taken place. A dedicated arena website was established to allow continuous engagement and updates.

7.1.4 A questionnaire was provided at the exhibitions and on the arena webpage. At the beginning of November 794 questionnaires had been returned. 93% strongly agreed or agreed that Leeds should have an arena. 88% of respondents strongly agreed or agreed that the arena would help improve the regeneration of the northern part of the city centre. 25% of respondents indicated that they would travel to the arena by car and 41% by bus. The majority of additional comments referred to the need for the

arena to have a high quality design; concerns regarding the level of car parking and potential congestion; that accessibility for disabled users was important; that it was important that the arena is well served by public transport; that jobs should go to local people; and that sustainability was a key factor in the design.

7.1.5 Full details of the consultation are included in the Statement of Community Involvement (SCI) submitted with the application.

7.1.6 Following the SCI the applicant is currently undertaking consultation with each of the following Leeds Equality Hubs: Belief or Faith; Disability; Age; BME and Carers. These are in addition to 5 sessions with the Leeds Independent Disability Council.

7.2 Application publicity

Site notices were erected around the site on 12th November. The application was advertised in the press on 26th November as a Major development, affecting the character of a conservation area and accompanied by an Environmental Statement. Additional publicity is given to the application on the Planning website.

4 representations have been received, three in support of the proposal and 1 objecting. Supporting comments suggest:

- that the arena is long overdue
- that the arena would provide a major boost to the economy and enhance the city's international reputation
- that the arena would be an important component of the regeneration strategy for this part of the city centre
- the arena would be a landmark building
- the facility would remove the need to travel to Sheffield or Manchester

Concerns raised refer to:

- traffic congestion that the development will create
- better located sites being available
- lack of certainty regarding the extent of retail floor space proposed and consequently the impact on the town centre
- lack of clarity regarding the proposed public transport mitigation proposals, having particular regard to the Public Transport and Developer Contributions SPD.

8.0 **Policy**

8.1 Detailed policy guidance is contained within Appendix 1.

9.0 **Main Issues**

9.1 The proposed arena site is within a sustainable city centre location within the heart of Leeds City Region. The Development Plan supports the provision of large scale, prestige leisure facilities within Leeds city centre. It is clear that the scheme involving redevelopment of brownfield land at a key gateway into the city is in accordance with the development plan as a whole together with other material planning guidance.

- 9.2 The development would bring forward significant economic and social benefits in terms of investment, jobs and visitor spending outlined at paragraphs 4.8.3 and 4.8.4 above. At the same time the location of the arena will act as a catalyst for regeneration of the northern quarter of the city centre. Many of the benefits should assist some of the most disadvantaged people and communities within the city surrounding the site.
- 9.3 The application was submitted in outline form to provide necessary flexibility in the design process whilst retaining project momentum. Outline applications need to demonstrate clearly that proposals have been properly considered in the light of relevant policies and the site's constraints and opportunities. As a minimum applications need to include information on use, amount of development, indicative layout, scale parameters and indicative access points, even if such matters are reserved. Applications need to be accompanied by a Design and Access statement which should include an explanation and justification of the design and access principles that will be used to develop future details of the scheme. The statement is a link between the outline permission and the consideration of reserved matters. In June 2009 Plans Panel noted that a two-stage planning application process, involving an outline application followed by a reserved matters submission identifying detailed design, would be pursued.
- 9.4 It is clear that an outline application is a legitimate procedure to use albeit the application needs to include satisfactory information. The application, as highlighted at section 2, included all the required information. However, additional information has been requested to supplement the Design and Access statement to elaborate design principles and to illustrate how the principles could be developed to achieve good design.
- 9.5 Detailed approval of access is sought. Whereas sufficient capacity exists within city centre car parks to meet demand a highway management strategy is sought which gives certainty that vehicles will be directed to the most appropriate parking location. Similarly, the extent of improvements to pedestrian connectivity to supplement a signage strategy is subject to ongoing discussion.
- 9.6 In accordance with the outline application process the potential maximum and minimum parameters of the building are identified. Detailed form and architecture would follow at Reserved Matters stage responding to the outline parameters and principles outlined in the Design and Access statement. The maximum scale of the structure fits well within its context though refinements are currently sought along the southern and eastern fringes of the building to ensure a reasonable relationship with the street, intervening space and neighbouring buildings.
- 9.7 In common with the form and design of the building detailed design of public realm will be identified at Reserved Matters stage. The basic arrangement of landscape zoning incorporating a wide piazza to the front of the building and a pedestrian route north of the building is appropriate. The public realm also extends to the north and south of the main entrance generating a space which, subject to detailed design, will create a suitable, high quality setting for the building. Likely pedestrian movements associated with the arena suggest that improvements should also be delivered between the building and Merrion Way and along the Clay Pit Lane frontage.
- 9.8 The potential for noise disturbance from a number of sources has been considered. Criteria have been agreed for many areas which should be satisfactory in preventing a loss of amenity to residents of nearby properties. Potential noise disturbance from the use of event vehicles is a continuing workstream. Surveys are due to commence

which should clarify the potential for disturbance in this area and, if so, what solutions there may be.

9.9 The key issues on which Member's views are sought at this stage are as follows:

- (i) The suitability of the site from a planning perspective for the development of an arena.
- (ii) The acceptability of the maximum building parameters, both in terms of footprint and height.
- (iii) Acceptance of the off-street car parking strategy, including controls within adjacent neighbourhoods.
- (iv) The strategy for coach, taxi and disabled parking provision including the service road location.
- (v) The suitability of pedestrian access and routes to and from the site.
- (vi) The extent of the proposed public realm required to provide a suitable setting for the building, to accommodate pedestrian flows to the arena and to deliver an integrated approach to design.
- (vii) The acceptability of the service access arrangements for vehicles on a 24 hour / 7 day a week basis.

10.0 Recommendation

10.1 Members are asked to:

- (i) Note the report
- (ii) Endorse the location of the arena
- (iii) Confirm the acceptability of the outline application process and the design approach being pursued
- (iv) Consider the issues referred to at 9.9 above
- (v) Identify any other issues to be addressed.

Background papers:

Application file 09/04815/OT

Certificate of ownership:

Signed by the agent on behalf of Leeds City Council

APPENDIX 1 - Policy Guidance

1 The Development Plan

1.1 Spatial Strategy for Yorkshire and the Humber and the Unitary Development Plan (Review 2006). Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

1.2 The Yorkshire and Humber Plan - Regional Spatial Strategy (May 2008)

1.2.1 The Regional Spatial Strategy (RSS) sets out the strategic priorities for the region until 2026. A number of the policies in the RSS are relevant to the proposal emphasising the role of Leeds as a regional centre, the need for a quality

environment with encouragement to the reuse of previously developed land, and the role of city and town centres as the focus for activity, including leisure and cultural facilities.

1.2.2 The overall approach of the RSS is set out in Policy YH1. This refers to a Spatial Vision which highlights the importance of achieving “more sustainable patterns and forms of development, investment and activity”.

1.2.3 Policy YH2 refers to climate change and resource use identifying the need to reduce greenhouse gas emissions by 20-25% by 2016 (relative to 1990 levels) by:

- Increasing population, development and activity in cities and towns.
- Encouraging better energy, resource and energy efficient buildings.
- Reducing traffic growth by appropriate location of development.
- Encouraging redevelopment of previously developed land.

1.2.4 The importance attached to the main urban areas is outlined in Policy YH4. This indicates that:

A Regional Cities and Sub Regional Cities and Towns should be the prime focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities in the region.

B Regional Cities and Sub Regional Cities and Towns will be transformed into attractive, cohesive and safe places where people want to live, work, invest and spend time in. Plans, strategies, investment decisions and programmes should:

- Develop a strong sense of place with a high quality public realm and well designed buildings within a clear framework of routes and spaces (2).
- Strengthen the identity and roles of city and town centres as accessible and vibrant focal points for high trip generating uses (4).

1.2.5 Section 3 sets out the policies for the Leeds City Region. Policy LCR1 states that proposals in the Leeds City Region should develop the role of Leeds as a regional city by :

- accommodating significant growth in jobs and homes and continuing to improve the city centre’s offer of high order shops and services (A2);
- supporting the roles of Leeds and Bradford as major engines of the regional economy (B1);
- connecting disadvantaged communities to job opportunities (B4);
- maximising renewable energy generation and energy efficiency (C6); and
- ensuring strategic patterns of development maximise the opportunities to use non car modes of transport and reduce the overall need to travel (D1).

1.2.6 Policy ENV 5 promotes energy efficient buildings. The region will maximise improvements to energy efficiency and increases in renewable energy capacity by:

A Reducing greenhouse gas emissions; improving energy efficiency and maximising the efficient use of power sources. Development supported by Yorkshire Forward should meet high energy efficiency standards; and.

B Promoting greater use of decentralised and renewable or low carbon energy; for developments of more than 1000m² at least 10% of energy should be

secured from decentralised and renewable or low-carbon sources unless this is not feasible or viable.

- 1.2.7 In order to create a more successful and competitive regional economy Policy E1 encourages investment in locations where it will have the maximum benefit and secure competitive advantage (B); improve links between job opportunities, skills development, business investment and the needs of excluded communities (C); and deliver the potential of “non-business class” sectors including leisure and tourism (I).
- 1.2.8 Policy E2 indicates that the centres of Regional Cities should be the focus for leisure, entertainment, arts, culture, and tourism across the region (A). Development, environmental enhancements and accessibility improvements should take place to create a distinctive, attractive and vibrant sense of place and identity for each centre (B).
- 1.2.9 Proposals should make use of appropriately located previously developed land (E3).
- 1.2.10 Policy E6 refers to sustainable tourism. Agencies should promote, support and encourage tourism by adopting an overall approach which recognises the sustainable growth of tourism as an integral contributor to the economy (1); promotes investment to provide a high quality experience throughout the year (2); secures investment in local people (3); contributes to the quality of life (4); conserves and enhances the built environment (5) and integrates tourism activity with a viable transport infrastructure that enables a realistic choice of travel mode supported by a management regime that encourages greater use of public transport (6).
- 1.2.11 The Regional Transport Strategy forms part of the RSS. It is noted that transport is a major contributor to greenhouse gas emissions and that measures to reduce the number and length of journeys will help to reduce the growth in emissions. Policy T1 identifies aims for personal travel reduction and modal shift to modes with lower environmental impacts. This ambition is supported by Policy T2 (parking policy) and Policy T3 (public transport).
- 1.2.12 Policy T5 states that attractions that access to all main tourist destinations should be improved. Access for all groups in society should be enhanced (B1); attractions that generate high levels of visitors should be located to achieve the identified accessibility standards (B2); and tourist destinations should provide incentives for visitors to arrive by modes other than the private car (B3).

1.3 Unitary Development Plan (Review 2006)

1.3.1 The Unitary Development Plan (Review 2006) (UDPR) was adopted in July 2006 with the majority of the original UDP policies saved unchanged into the UDPR. The lifespan of many relevant policies within the UDPR was extended by the Secretary of State in September 2007.

1.3.2 Strategic policies

- Strategic Aim SA1 encourages the highest possible quality of environment throughout the District, including initiating the renewal and restoration of areas of poor environment.
- SA2 encourages development in locations that will reduce the need to travel, promote the use of public transport and other sustainable modes, and reduce journey lengths of trips made by car.

- SA4 promotes the economic base of Leeds by identification of a balanced range of sites for development, and identification of areas which will have priority for regeneration initiatives.
- SA6 encourages the provision of facilities for leisure activities and to promote tourist visits to Leeds, in ways which secure positive benefits for all sections of the community.
- SA7 promotes the physical and economic regeneration of urban land.
- SA8 seeks to ensure that all sections of the community have safe and easy access to facilities by maintaining and enhancing provision in appropriate locations.
- SA9 promotes the development of a City Centre which supports the aspiration to become one of the principal cities of Europe, maintaining and enhancing the existing distinctive character.

1.3.3 General Policy GP5 identifies the need to resolve detailed planning considerations, to promote energy conservation and the prevention of crime. Proposals should also have regard to any framework for the area.

1.3.4 Environment policies

- N12 identifies fundamental priorities for urban design.
- N13 indicates that the design of all new buildings should be of a high quality. Good contemporary design will be welcomed.
- N23 states that space around new development should be designed to provide a visually attractive setting for the development and, where appropriate, contribute to informal public recreation.

1.3.5 Transport policies

- T2 requires new development to be adequately served by highways and not to materially add to problems of safety, environment or efficiency on the highway network; be capable of being adequately served by public transport; to make adequate provision for cycling
- T2D identifies the need for developer contributions where public transport accessibility would otherwise be unacceptable.
- T5 identifies the need for satisfactory safe and secure access for pedestrians and cyclists.
- T6 requires satisfactory provision for people with mobility problems.
- T7A refers to secure cycle parking requirements.
- T7B refers to motorcycle parking requirements
- T24 refers to car parking guidelines.

1.3.6 The Local Economy

- Encouragement will be given to the establishment of new economic sectors which strengthen and diversify the economy.

1.3.7 Leisure and Tourism

- LT3 states that the creation of a wide range of new attractions and facilities will be supported.
- LT4 highlights that the City Council will pursue opportunities for the development of major cultural facilities. Locations need to be easily accessed by the regional road and public transport system.

- LT5 states that the City Council will pursue opportunities for the development of purpose built facilities for exhibitions, concerts and conferences.

1.3.8 Regeneration

- R2 refers to city centre strategies for housing and the environment which assist the process of urban regeneration.
- R5 indicates that opportunities will be sought to secure appropriate employment and training associated with construction and operation of the development.

1.3.9 Access for All

- A4 requires the design of safe and secure environments, including consideration of access arrangements, public space, servicing and maintenance, materials and lighting.

1.3.10 City Centre policies seek to encourage a more vibrant, high quality environment with an improved quantity and quality of leisure and cultural facilities within the city centre

Strategic policy SA9 is expanded to focus on the following objectives:

- Securing a high quality city centre environment;
- Reinforcing the distinctive character of the city centre which sets it apart from other cities;
- Securing a more vibrant city centre, with an improved quantity and quality of leisure facilities in which life and activity continue as much as possible throughout the 24 hour day;
- Strengthening the growth of employment uses particularly in shopping and leisure sectors;
- Promoting the main development opportunities;
- Providing the focus of accessible shopping and leisure facilities; and
- Improving safe and secure access for all to and within the city centre.

These objectives are expanded in the following policies:

- CC4 encourages development at gateway sites to reflect the importance of their location through scale and design quality.
- CC5 states that all development in conservation areas or its immediate setting must preserve or enhance the character of the area.
- CC6 indicates that proposals for high buildings outside conservation areas will be considered on their merits, taking account of the quality of design; effect on the skyline and views across the city; effect on neighbouring buildings; and their effect on micro-climate.
- CC10 requires a minimum of 20% of the developable site area of sites over 0.5 hectares to be allocated as public space.
- CC12 indicates that new public spaces must integrate with the existing pattern of streets
- CC13 requires that spaces should be imaginatively designed and complement their location.
- CC26 supports entertainment and cultural facilities.
- CC27 identifies principal use quarters, including Prestige Development Areas (PDA).
- CC29 requires mixed uses in larger developments in principal use quarters.

- CC31 identifies the range of uses, including leisure, entertainment and cultural facilities which are appropriate in PDA's. The strategy for PDA's is to promote sites for large scale prestige developments; encourage high quality developments and creation of public spaces; to achieve environmental and social benefits; and to ensure satisfactory access. Supporting uses such as small scale retail, food and drink uses and public space will be acceptable.

Clay Pit Lane/Inner Ring Road is identified as one of the four PDA's. Leisure is identified as one of the potential acceptable uses within the Proposal Area statement for Clay Pit Lane. It is stated that public space and pedestrian linkages will be required.

The Proposals Map includes various notations on the arena site : short stay car parking; proposed public space; and proposed pedestrian corridor/public space.

1.3.11 UDPR Appendices

Policies within the appendices typically elaborate policies in the main document. Policies BD2, BD3, BD4, and BD5 identify building design requirements. Policy BD15 encourages public art. LD1 sets out requirements for landscape schemes. Minimum and maximum car parking, motorcycling and cycle parking guidelines are set out in Appendix A9.

1.4 Supplementary Planning Guidance, other guidance and emerging policy

1.4.1 Vision for Leeds 2004 to 2020 (March 2004)

The Vision for Leeds 2004 to 2020 is the Council's second community strategy for improving the social, environmental and economic well-being of the city and its many communities.

1.4.2 The key aims are:

- Going up a league as a city.
- Narrowing the gap between the most disadvantaged people and communities and the rest of the city.
- Developing Leeds' role as the regional capital and contributing to the national economy as an internationally competitive city.

1.4.3 12 major projects are identified within the Vision including improving the cultural life of the city. It is recognised that Leeds needs suitable facilities to host major international events, conferences and tours. Consequently, "a new, large-scale international cultural facility, such as a concert hall, arena, exhibition or conference facility" will be developed.

1.4.4 The UDPR embraces and adopts as its own principles the strategic aspirations within the Vision for Leeds.

1.4.5 SPG 14 Leeds City Centre Urban Design Strategy (September 2000)

The proposed development falls within the North Street / Clay Pit Lane area (Study Area 6) of the design guide. Relevant key aspirations are highlighted as follows:

- Improve pedestrian links within the area and to/from other areas

- Enhance gateway images
- Encourage uses which complement the central area
- Encourage housing development
- Encourage mix of uses
- Encourage demolition of poor quality / under-developed sites
- Improve existing spaces
- Encourage more active frontages
- Improve boundary treatments

1.4.6 Public Transport Improvements and Developer Contributions SPD (August 2008)

The SPD identifies the need for, and scale of, developer contributions in order to bring forward required enhancements to strategic public transport infrastructure in accordance with PPG13, and UDPR.

1.4.7 SPG2 Leisure Developments and Other Key Town Centre Uses (October 1997)

The SPG expresses the importance of ensuring appropriate locations for town centre uses. Leisure development capable of enhancing a centre's viability is encouraged. Uses attracting large numbers of people should first be located within the city centre and town centres. The city centre should be the primary location for the development of regional facilities.

1.4.8 Emerging policy

The following draft Supplementary Planning Documents have yet to be adopted: City Centre Public Realm Contributions, Sustainability Assessments, Sustainable Design and Construction, Tall Buildings Design Guide, and Travel Plans.

1.4.9 The Local Development Framework (LDF) is the name given to the new system of Development Plans. The Local Development Framework will gradually replace the Unitary Development Plan. The Core Strategy is the principal document in the LDF and will set out the Council's vision for the future development of Leeds over the next 20 years. The Core Strategy is shaped by a range of policies, including the Vision for Leeds (Community Strategy), the Regional Spatial Strategy for Yorkshire and the Humber, and national guidance. Informal consultation on the Preferred Approach ended in December 2009. At the current time the Core Strategy carries little weight.

1.4.10 City Centre Area Action Plan (Preferred Options 2007)

The preparation of a City Centre Area Action Plan (CCAAP) is considered essential to tackle a series of development, regeneration and urban renaissance issues. However, as adoption of the CCAAP is some way off presently it can only be accorded limited weight. The key elements relevant to the scheme include the following:

- Promoting town centre uses in the city centre; encouraging the development of vacant and under-utilised areas of the city centre; and facilitate better integration of the city centre as a whole, and better connections to adjoining neighborhoods (Preferred Option PO-01).
- Acknowledging that the form and character of the city centre is rich and varied and that new development needs to be carefully designed to suit its individual context (PO-17).

- That new building needs to address climate change by incorporating appropriate waste storage, renewable energy and sustainable design technology (PO-22/23).
- Promoting provision of public space as part of major new development (PO-25).
- Ensuring new development is easily accessible to all (PO-28).
- Designating and promoting new pedestrian and cycle routes to connect the city centre with adjoining neighborhoods (PO-30).
- Promoting employment and training agreements to help link development opportunities with local unemployed and unskilled people (PO-37).

1.4.11 Elmwood Road – Brunswick Terrace Planning and Development Brief (2005)

The brief outlines general development principles which should be addressed in any planning application. These include:

- Improve connectivity to east, west and city centre
- Integration of building and spaces into existing built form and enhancement of settings
- Provision of landscaped belt to Inner Ring Road
- Creation of active frontages to buildings
- Opportunity to connect to Hepworth House site
- Closure of Elmwood Road
- The potential to introduce tall buildings to partner existing tall buildings

1.5 National planning guidance

1.5.1 Planning Policy Statement (PPS) 1 : Delivering Sustainable Development (January 2005)

PPS1 places a strong emphasis on the importance of sustainable development and encourages a positive approach to planning and development. The PPS recognises the need to protect and enhance the quality, character and amenity value of urban areas. The PPS places particular emphasis on the importance of high quality inclusive design which is seen as a key element in achieving sustainable development and community involvement which is one of the principles of sustainable development.

1.5.2 The PPS describes in more detail the four elements of sustainable development and states that “the Government is committed to promoting a strong, stable and productive economy that aims to bring jobs and prosperity for all. Planning authorities should :

- Recognise that economic development can deliver environmental and social benefits
- Recognise the wider sub-regional, regional or national benefits of economic development and consider these alongside any adverse impacts;
- Ensure that suitable locations are available for industrial, commercial, retail, public sector (e.g. health and education) tourism and leisure developments, so that the economy can prosper;
- Provide for improved productivity, choice and competition, particularly when technological and other requirements of modern business are changing rapidly;

- Recognise that all local economies are subject to change; planning authorities should be sensitive to these changes and the implications for development and growth;
- Actively promote and facilitate good quality sustainable development.

1.5.3 Supplement to PPS1 : Planning and Climate Change (December 2007)

The supplement sets out the Government's objectives to tackle climate change. New development should:

- Comply with policies for decentralised energy supply and for sustainable buildings;
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption, and overall minimise carbon dioxide emissions;
- Deliver a high quality local environment;
- Provide appropriate public and private space;
- Give priority to the use of sustainable drainage systems;
- Provide for sustainable waste management; and
- Create and secure opportunities for sustainable transport.

1.5.4 Planning Policy Statement (PPS) 4: Planning for Sustainable Economic Growth (December 2009)

PPS4 integrates and streamlines policies previously contained largely with PPG4 and PPS6 which are now cancelled.

The Government's over-arching objective is sustainable economic growth. To help to achieve this, the Government's objectives for planning are to build prosperous communities; reduce the gap in economic growth rates between regions; deliver more sustainable patterns of development and respond to climate change; and to promote the vitality and viability of town and other centres as important places for communities. To do this the Government wants, among other things:

- New development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to the communities in an attractive and safe environment and remedying deficiencies and provision in areas with poor access to facilities.
- Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups).

The PPS sets out the Government's policy for town centres and main 'town centre uses', which include retail, leisure, offices, arts, tourism and cultural activities.

Policy EC10 states that LPA's should take a positive and constructive approach towards planning applications for economic development. Applications which secure sustainable economic growth should be treated favourably. Applications should be

assessed against the following considerations: whether the proposal would limit carbon dioxide emissions and provide resilience to climate change; accessibility by a choice of means of transport; whether the proposal secures a high quality and inclusive design; the impact on economic and physical regeneration in the area; and the impact on local employment.

1.5.5 PPG13: Transport (March 2001)

Policy guidance contained in PPG 13 promotes development in areas of good transport accessibility and aims to reduce the need for travel through mixed use development. To deliver the guidance objectives, local authorities, when considering planning applications should:

- “Actively manage the pattern of urban growth to make the fullest use of public transport, and focus major generators of travel demand in city, town and district centres and near to major public transport interchanges;
- Locate day to day facilities which need to be near their clients in local centres so that they are accessible by walking and cycling;
- Plan for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling;
- Ensure that development comprising jobs, shopping, leisure and services offer a realistic choice of access by public transport, walking and cycling; and
- Give priority to people over ease of traffic movement and plan to provide more road space to pedestrians, cyclists and public transport in town centres, local neighbourhoods and other areas with a mixture of land uses.” (paragraph 6)

1.5.6 Travel-intensive uses should be located in town centres or close to major transport interchanges. Local authorities should maximise the use of the most accessible sites such as those in town centres or near transport interchanges and should pro-actively promote intensive development on such sites.

1.5.7 New development should help to create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport (paragraph 28).

1.5.8 The PPG emphasises that retail and leisure developments should be focussed in town centres, (paragraph 35). Paragraph 76 highlights the importance of walking and suggests ways in which local authorities through planning applications can promote it. These include through attention to the “design, location and access arrangements” for new developments and by promoting “high density, mixed use development in and around town centres”. Local authorities should also ensure provision for, and sympathetic design, for cycling.

1.5.9 Planning Policy Statement 22 : Renewable Energy (August 2004)

The PPS highlights the need to consider the opportunity for incorporating renewable energy projects in all new developments. Positive planning which facilitates such development would help to contribute towards all four elements of the Government’s sustainable development strategy.

1.5.10 Planning Policy Guidance 24: Planning and Noise (October 1994)

PPG24 guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. The PPG indicates that it will be hard to reconcile some land uses, such as housing, with activities that generate high levels of noise. Wherever practicable noise sensitive developments should be separated from major sources of noise. Noisy activities should, if possible, be sited away from noise-sensitive land uses. Where it is not possible to achieve such a separation of land uses LPA's should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise through the use of planning conditions or obligations (paragraph 2).

1.5.11 The PPG identifies a number of potential measures that could be used to control the source of, or limit exposure to, noise to ensure that development does not cause an unacceptable degree of disturbance. Such measures should be proportionate and reasonable and may include one or more of the following:

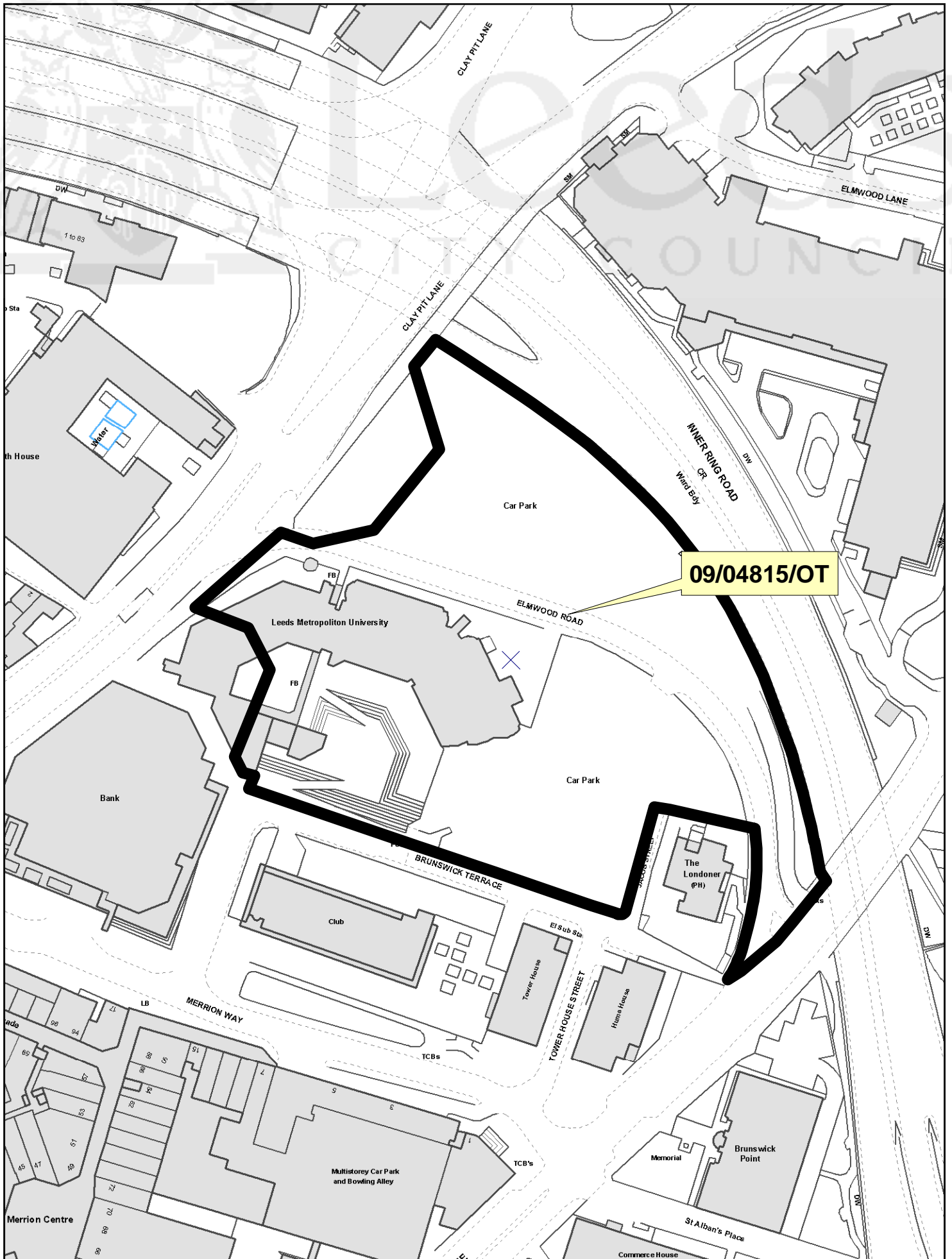
- Engineering : reduction of noise at point of generation; containment of noise through insulation; and protection of surrounding noise sensitive buildings;
- Layout : adequate distance between noise source and noise sensitive buildings and areas;
- Administrative : limiting operating time of source; restricting activities allowed on site; and specifying an acceptable noise limit.

1.5.12 There will be circumstances when it is acceptable or even desirable to meet other planning objectives to allow noise generating activities on land near noise sensitive development. In such cases LPA's should use conditions or obligations to safeguard local amenity (paragraph 18).

1.5.13 PPG25: Development and Flood Risk (December 2006)

Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

1.5.14 Within Flood Risk Zone 1, the lowest level of flood risk, opportunities to reduce the overall level of flood risk in the area, and the application of appropriate sustainable drainage techniques should be sought.



CITY CENTRE PANEL

Scale 1/1500

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