



## Report of the Chief Planning Officer

### PLANS PANEL CITY CENTRE

Date: 21<sup>st</sup> June 2012

**Subject: 12/01191/FU - VARIATION OF CONDITION 34 OF PLANNING PERMISSION 11/01979/EXT (PROPOSING DESIGN CHANGES INCLUDING PROVISION OF A ROOF TOP BAR, A FEATURE GLASS LIFT, AN INCREASE IN HEIGHT OF THE BUILDING, AN INCREASE IN BASEMENT FLOOR SPACE AND A REDUCTION IN THE NUMBER OF HOTEL BEDROOMS) AT CAR PARK 'D', PORTLAND CRESCENT AND COOKRIDGE STREET, LEEDS, LS2 3AW.**

APPLICANT	DATE VALID	TARGET DATE
Portland Crescent Leeds Ltd	15/3/12	14/6/12

#### Electoral Wards Affected:

City and Hunslet

No

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

**RECOMMENDATION: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the specified conditions (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations; public transport contribution (£123,760); travel plan and monitoring fee (£2,500); compensation for loss of five on-street parking bays (£37,240); tree contribution due to the removal of trees at the site (£40,000); employment and training initiatives; Section 106 management fee (£2,250). In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission the final determination of the application shall be delegated to the Chief Planning Officer.**

A full list of conditions and the reason for approval can be found at Appendix 1.

## 1.0 INTRODUCTION

1.1 Plans Panel City Centre has approved a hotel development on this site twice before, in 2007 and 2009. The Panel also received a pre-application presentation in December 2011 that outlined minor changes to the 2009 approval. Following comments made by Members in December 2011, the scheme has been developed further and is now presented for determination.

## **2.0 PROPOSAL:**

2.1 The proposed scheme comprises a 206 bedroom 5\* hotel with ancillary facilities including conference/meeting rooms, gym (for hotel guests only), restaurant and roof top bar with executive lounge. The building would be sited adjacent to the Portland Crescent and Cookridge Street frontages. It comprises a 6 storey element with rooftop plant next to the O2 Academy car park. The northern half of the building steps up to 14 storeys. The footprint of the building takes account of the New Generation Transport (NGT) route which is intended to cross the space immediately north of the proposed hotel. The disused subway area would be infilled and the area between the hotel and Woodhouse Lane would be landscaped.

2.2 The building uses a limited palette of external finishing materials, predominantly glazed elevations to the lower two floors and a predominantly natural limestone cladding material to the upper floors. The majority of the building's windows incorporated a hit and miss arrangement with 200mm recesses.

2.3 The changes to the previously approved scheme briefly include the following:

- Reduction to number of guestrooms from 246 to 206.
- Introduction of a bar and executive lounge on the top (13<sup>th</sup>) floor with glass facade and a wider feature glass lift facing Portland Crescent.
- An increase of 1m to the height of the 14 storey element of the building in order to accommodate the increased floor height of the 13th floor bar.
- Additional plant area on top the 14 storey element.
- Removal of the second hotel entrance in the Woodhouse Lane elevation.
- An internal reorganisation including changes to the conference facilities, addition of a gym and suite.
- Addition of an entrance canopy to act as a wind buffer.
- Altered window pattern in the southern elevation toward Millennium Square.

## **3.0 SITE AND SURROUNDINGS**

3.1 The site comprises a 0.14 ha parcel of land known as D Car Park, Portland Crescent, Leeds. The broadly rectangular site abuts Portland Crescent, Woodhouse Lane and Cookridge Street. It is currently used as a surface pay and display car park accommodating approximately 40 cars. Vehicular access is taken from Portland Crescent virtually opposite the access into the Rose Bowl car park. A footpath linking Portland Crescent and Cookridge Street crosses the northern end of the site. The pedestrian access to the former subway is situated between this footpath and Woodhouse Lane.

3.2 The site predominantly slopes down from the north to the south. There are 5 Norway Maples, 2 Swedish Whitebeams and 13 wild cherry trees located around the periphery of the site.

3.3 The parking area to the side of the Grade II listed O2 Academy club/music venue is located on the south-west boundary of the site. The rear elevation of the Walkabout and Massey's bars which front Cookridge Street run along the south-east boundary.

The Rose Bowl building and car park are located on the opposite side of Portland Crescent. The Civic Hall, a Grade II\* listed building, is located to the south of the Rose Bowl. The area immediately to the south of the site falls within the boundaries of the City Centre Conservation Area. On the far side of Woodhouse Lane Queen Square (a Georgian Square containing a number of grade II listed buildings) is also designated as a Conservation Area.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 The site has a history of car parking use dating from about 1978. Planning permission (20/537/99/FU) for a 5 storey block of flats with ground floor parking and a food and drink unit was approved in February 2000. The consent has now expired.
- 4.2 A Planning and Development Brief for C and D car parks was agreed in 2000.
- 4.3 An application for a part 6 and part 11 storey 178 bedroom hotel building was approved in December 2007 (07/00796/FU). This permission lapsed in December 2010.
- 4.4 Planning permission (08/05664/FU) for a part 6 and part 14 storey hotel building with 246 bedrooms was approved in July 2009. The permission expires 28<sup>th</sup> July 2012.
- 4.5 Planning permission (11/01979/EXT) extended the time limit for implementing planning permission 08/05664/FU to 2<sup>nd</sup> August 2014.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 As highlighted above, planning permission for a hotel development on the site has been granted in 2007 and 2009 and an extension of time was granted for the 2009 approval in August 2011. Discussions on this revised scheme commenced in March 2011 and revised proposals were presented to Members in December 2011. Members comments are outlined below with a response where appropriate in italics:
  - o Members queried the relocation of the Hotel entrance and impact on the siting of the taxi pick up/drop off point. *Response: The taxi pick up/drop off arrangements are as previously agreed. Double yellow lines are to be added to Portland Crescent. This allows for boarding/alighting and loading/unloading but does not permit waiting at anytime. As a result, this allows for easy taxi drop off and pick up but limits the potential for abuse by other users that can often occur when other types of Traffic Regulation Orders are in place. The hotel entrance is immediately adjacent to the taxi drop off area that can accommodate three vehicles. Studies carried out at the time of the 2009 application concluded this was the best approach and provided sufficient space for the number of vehicles expected at a hotel of this size. 24 hour parking is available nearby at the Merrion Centre, plus there are other car parks in the vicinity at the Rose Bowl and Woodhouse Lane.*
  - o Members expressed concern over the loss of windows to the south elevation which overlooked Millennium Square as the design of this façade had been the focus of much discussion in 2009. One Member suggested that glazing to all the elevations would be welcome as this would present an elegant façade which would reflect the historic buildings in the vicinity and echo the design of the Rose Bowl. *Response: Glazing has been reintroduced to the southern*

*elevation facing Millennium Square, there is glazing on all elevations. A full appraisal of the design changes is provided in the appraisal section below.*

- Impact on the setting of the Civic Hall and views of the Civic Hall from the east. *Response: As with the previous approvals, visuals have been provided that set the proposals in the context of the Civic Hall. The minor increase in height and subtle design changes are not considered to detract from the setting of the Civic Hall and reflect the relationship previously agreed.*
- Members remained supportive of the principle of a hotel development on this site and had no concerns over the increase in height or the inclusion of a bar.

## **6.0 PUBLIC/LOCAL RESPONSE:**

- 6.1 Site notices were posted 30/3/12 and advert in the Leeds Weekly News 21/3/12. No representations received.
- 6.2 Leeds Civic Trust highlighted that they objected to the previous hotel approvals as they did not accord with the adopted planning brief. However, the Trust accept that there is consent for a large building on the site and no longer object to the proposals following improvements to the design of the roof top bar.

## **7.0 CONSULTATIONS RESPONSES:**

### **7.1 Statutory:**

- 7.2 English Heritage: No objection.

### **7.3 Non-statutory:**

- 7.4 Highways: No objection subject to the previous conditions and S106 obligations being carried forward.
- 7.5 Contaminated Land: No objection subject to standard conditions.
- 7.6 Access: No objection.
- 7.7 LCC External Wind Consultant: The submitted wind study has been carried out appropriately. The study raises some concerns regarding the potential impact of wind on the northwest corner of the building. The impact of the recently proposed mitigation, a canopy around the entrance, should be examined by the applicant's wind consultant to confirm it provides the necessary protection. *Response: Further comment on wind is provided below and will be updated verbally at Panel.*

## **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. There are no RSS policies of particular relevance; all issues are covered by the UDPR policies identified below.
- 8.2 UDPR Designation: The site falls within the designated Civic Quarter and is identified as part of Proposal Site 17. The main objective for the area is to establish

a major civic and cultural quarter. The strategy is to support a variety of uses in new and retained buildings to bring life and vitality into the area at all times. It is noted that the area has potential for hotel development. Vacant sites should be developed with high quality new buildings and public spaces. The skyline and vistas of landmark buildings should be protected, and accessibility improved. The site is adjacent to the City Centre Conservation Area. Relevant UDP policies are listed below:

Policy GP5: Proposals should resolve detailed planning considerations.

Policies GP11, GP12 (Sustainable Design)

Policy N12: Fundamental priorities for urban form.

Policy N13: High design quality for new build and have regard for surroundings.

Policies N23 – 26 and LD1: Covering landscape/boundary treatments contribution/setting.

Policy T2: Development to be served by highways network/public transport/pedestrian facilities.

Policy T2c: Travel Plans

Policy T24: Parking to reflect detailed UDP parking guidelines.

Policies N15, N16, N17: Seek to preserve the setting of listed buildings.

Policies CC9, CC10, CC11, CC12, CC13: Enhancement of pedestrian routes and provision of public spaces.

Policy BD4: Seeks to minimise impact of plant and machinery.

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

Policy T5: Satisfactory provision for pedestrians and cyclists.

Policy T6: Satisfactory disabled access.

Policy A4: Provision of safe and secure environment.

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

Policy CC27: Principle Use quarters within the City Centre.

### 8.3 Relevant Supplementary Planning Guidance

Public Transport Improvements and Developer Contributions August (2008).

Tall Buildings Design Guide (2010).

Building for Tomorrow Today – Sustainable Design and Construction (2011)

8.4 A planning brief was produced for the “C” and “D” car park sites and adopted as supplementary planning guidance in 2001.

8.5 The National Planning Policy Framework (NPPF) came into force on 27<sup>th</sup> March 2012. The NPPF states that unless material considerations indicate otherwise development proposals which accord with the Development Plan should be approved. The framework, which includes guidance regarding building a strong, competitive economy, ensuring the vitality of town centres, promoting sustainable transport, and conserving the historic environment, is a material consideration.

## 9.0 MAIN ISSUES

- Previous approvals and established principle of development.
- Changes to previous approval.
- Section 106.

## 10.0 APPRAISAL

10.1 Previous approvals and established principle of development

- 10.2 As highlighted above, the site benefits from previous and extant planning permissions for hotel development. The current application seeks minor design and internal layout changes to the previous approval, these are considered in detail below. The principle of a hotel development up to 14 storeys has long been established on this site.
- 10.3 Since the last hotel approval on this site in August 2011, there has been no material change in circumstances at or surrounding the site. With regard to policy changes, the key change has been the adoption of the NPPF. However, the policies in the NPPF largely reflect the objectives of the previous national planning policy and the proposed hotel development is considered compliant with the NPPF. At the time of the last approval the Sustainable Design and Construction Supplementary Planning Document was only in draft form but was still given considerable weight when determining the previous application. This SPD has now been adopted and, in accordance with the adopted document, the proposed hotel aims to deliver a BREEAM rated 'very good' development that includes a green roof on the 14 storey element.
- 10.4 There have been no material changes in the site and its surrounding since the previous approval and the proposal is compliant with all new national and local policy therefore the principle of development is considered acceptable.
- 10.5 Changes to previous approval
- 10.6 All the changes to the previous approval are identified at paragraph 2.3 above. The reduction in the number of guestrooms from 246 to 206 and other internal reorganisations to provide a guest gym, suite and additional conference facilities are considered acceptable and allow for a more upmarket hotel offer for the area. The principle of adding an ancillary rooftop bar is also considered acceptable as this will provide a new and interesting leisure venue similar to the popular Skybar at the hotel at Granary Wharf. The bar will also provide excellent views of the Leeds Arena.
- 10.7 The introduction of the bar has resulted in the height of the 14 storey element being increased by around 1m in height. At the pre-application presentation Members accepted this minor increase in height and officers believe the minor change will not materially change the character of the building or its impact on surrounding properties. To maximise the views from the bar and its prominence within the building façade, the bar will have floor to ceiling glazing. This increase in glazing to the top floor is considered to be a positive move as it helps balance the building and give it a 'base', 'middle' and 'top', with a two storey glazed base, regular window pattern to the middle and single storey glazed feature to the top floor. The glass feature lift to the Portland Crescent elevation is slightly wider than the previous approval and whilst it still provides an attractive and interesting feature, it is now more integral to the overall design of the building as it links into the floor to ceiling glazing on the top floor.
- 10.8 The consented scheme had windows in the southern elevation facing Millennium Square. However, when the revised scheme was presented at pre-application stage these windows had been removed and Members raised objections. Windows have now been reinserted into the southern elevation in a similar manner to the previous approval that Members supported and is now considered acceptable.
- 10.9 The additional plant area on the roof of the 14 storey element projects just 1.6m above the parapet and is set 9-10m from the east and west facades and 4m from

the northern façade. This area will be screened by louvres and due to the height of the building, height of the plant and distance to the edge of the building it is considered the plant will only be visible from limited viewpoints and will not detract from the character of the building.

- 10.10 The removal of the second hotel entrance on the Woodhouse Lane, immediately next to the entrance off Portland Crescent is not considered to reduce accessibility into the building but will allow for a clearer pedestrian route along the Woodhouse Lane footpath and is therefore supported.
- 10.11 Due to the scale of the proposal and recent sensitivities regarding the impact of wind around tall buildings, a wind study accompanied the application. The submitted study has been verified by consultants appointed by LCC. The study identified the entrance area at the northwest corner of the building as being the windiest area around the building and making reference to recognised 'comfort levels', stated this area was suitable for 'leisure walking' in the windiest season but not 'standing/entrance' therefore mitigation should be considered. To overcome these concerns and reduce the impact of wind on the footway and entrance area, a canopy around the entrance area is proposed to both protect the entrance and by using perforated screens, reduce the energy of the wind.
- 10.12 Section 106
- 10.13 With the exception of the public transport contribution, the section 106 will include the same clauses as before, namely securing the travel plan and monitoring fee of £2,500, compensation for loss of five on-street parking bays (£37,240), a tree contribution due to the removal of trees at the site of £40,000 and the Council's standard employment and training initiatives.
- 10.14 Due to the reduction in the number of hotel rooms proposed and other internal changes the public transport contribution has been reduced from £185,217 to £123,760.

## **11.0 CONCLUSION**

- 11.1 There is an extant approval for a hotel development of this scale and character on this site and the minor design and layout changes proposed under the current application are considered to enhance the appearance of the approved scheme and are therefore supported. The proposals will introduce an attractive building and quality hotel and roof top bar onto a site in need of redevelopment and would be complementary to the nearby Leeds Arena. The application is compliant with new policy introduced since the previous approval and is therefore recommended for approval.

## **12.0 BACKGROUND PAPERS**

- 12.1 Application file 12/01191/FU and history files 11/01979/EXT, 08/05664/FU and 07/00796/FU.
- 12.2 Certificate of Ownership, signed by the agent on behalf of the applicant.

12/01191/FU - APPENDIX 1

- 1) The development hereby permitted shall be begun before 2nd August 2014.

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The Local Planning Authority shall be notified in writing of the date of the commencement of development at least one week prior to such commencement.

To enable the Local Planning Authority to monitor conditions which come into force at the commencement of development.

- 3) Full details, including samples, of the proposed roof top plant screens shall be submitted to and agreed in writing by the Local Planning Authority prior to construction. The works shall be implemented as thereby agreed.

In the interests of visual amenity and in accordance with adopted UDPR policy BD4.

- 4) Typical detailed 1:20 scale (or other appropriate scale) working drawings of the following elevational features shall be submitted to and approved in writing by the Local Planning Authority prior to their construction:

- (a) Sections through external windows and door reveals;
- (b) External entrance areas at ground floor level;
- (c) Junctions of materials;
- (d) Changes in plane to the building elevations; and
- (e) Details of roof parapets, eaves line and soffits to the building.

The works shall be implemented as thereby agreed.

In the interests of visual amenity and providing a high quality design in accordance with adopted UDPR policy N13.

- 5) No external surfacing works shall take place until details and samples of all surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the Local Planning Authority who shall be notified in writing of their availability. The surfacing works shall be constructed from the materials thereby approved.

In the interests of visual amenity in accordance with adopted UDPR policy N23.



- 6) Construction of the external finishing materials to the building shall not be commenced until a sample panel of the materials to be used, including the agreed natural limestone cladding panel and glazing, has been approved in writing by the Local Planning Authority. The panels shall be erected on site to establish the details of the type, bonding and coursing of the materials. The materials shall be constructed in accordance with the sample panels which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the materials harmonise with the character of the area in accordance with adopted UDPR policy N13.

- 7) No extract ventilation system, flue pipes, mechanical plant or other excrescences proposed to be located on the roof or sides of the building shall be installed or erected until full details of their siting, design and external appearance have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and shall thereafter be maintained and retained.

In the interests of amenity and visual amenity in accordance with adopted UDPR policy GP5.

- 8) Full details to control the outward emergency door opening arrangements shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation. The works shall be implemented and any management arrangements maintained as thereby agreed.

To ensure that the gates are only opened outwards onto the public highway in an emergency, in the interests of highway amenity and safety in accordance with adopted UDPR policy GP5.

- 9) No landscape works shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include (a) proposed finished levels and/or contours, (b) means of enclosure, (c) pedestrian access and circulation areas, (d) hard surfacing areas, (e) minor artefacts and structures (e.g. street furniture, signs, lighting etc.), (f) proposed and existing functional services above and below ground (e.g. drainage, power cables, communication cables, pipelines etc., indicating lines, manholes, supports etc.). Soft landscape works shall include (g) planting plans, (h) written specifications (including cultivation and other operations associated with plant and grass establishment), (i) schedules of plants noting species, planting sizes and proposed numbers/densities, (j) implementation programme.

To ensure the provision of amenity afforded by appropriate landscape design in accordance with adopted UDPR policies LD1, N23 and N25.

- 10) Hard and soft landscaping works shall be carried out in accordance with the approved details prior to the occupation of any part of the development in accordance with the programme agreed with the Local Planning Authority and to a reasonable standard in accordance with the relevant provisions of appropriate British Standards or other recognised codes of good practice.

To ensure that provision, establishment and maintenance to a reasonable standard of landscaping in accordance with the approved proposals.

- 11) Prior to the first occupation of the development a schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall commence when the development is occupied or brought into use, or when the landscape scheme is completed and shall be carried out in accordance with the approved schedule.

To ensure initial maintenance of the completed landscape scheme in accordance with adopted UDPR policy GP5.

- 12) If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

- 13) Full details of the works to infill the subway area to Woodhouse Lane (including temporary diversion of the footpath) shall be submitted to and agreed in writing by the Local Planning Authority prior to closure or diversion of the footpath. The works shall be implemented as thereby agreed.

In the interests of highway safety and amenity in accordance with adopted UDPR policies T2 and GP5.

- 14) Full details of long-stay facilities to be provided for the parking of staff cycles shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the building. This shall include details of associated shower and changing facilities and their

location within the site. The approved facilities shall then be provided on site prior to first occupation of the building and thereafter retained on site.

In order to meet the aims of the Transport Policy as incorporated in the Unitary Development Plan.

- 15) Prior to the commencement of any works on site, plans of the site showing details of the existing and proposed ground levels, proposed floor levels, levels of any paths and the height of any retaining walls within the development, including drawings showing the height of the proposed building in relation to existing surrounding building heights with reference to Above Ordnance Datum (AOD) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in complete accordance with the details so approved and shall be retained thereafter as such.

To ensure that the works are carried out at suitable levels in relation to adjoining properties and highways in the interests of visual amenity in accordance with adopted UDPR policy GP5.

- 16) Details of a sound insulation scheme designed:

- (a) To protect the amenity of nearby occupants from noise emitted from the proposed development; and
- (b) To protect occupants of the proposed hotel development from the ground floor commercial uses within the proposed development, from nearby commercial premises and from road traffic noise;

shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The noise insulation scheme shall be completed prior to the use of the premises and shall be retained thereafter.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 17) The Local Planning Authority shall be notified in writing immediately where unexpected significant contamination is encountered during any site works and operations in the affected part of the site shall cease.

Where remediation of unexpected significant contamination is considered by the Local Planning Authority to be necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the recommencement of development on the affected part of the site. The Remediation Statement shall include a programme for all remediation works and for the provision of verification information.

Remediation works shall be carried out in accordance with the approved Remediation Statement. On completion of those works, the Verification Report(s) shall be submitted to the Local Planning Authority in accordance with the approved programme. The site or phase of a site shall not be brought into use until such time as all necessary verification information has been approved in writing by the Local Planning Authority.

To enable the Local Planning Authority to ensure that unexpected contamination at the site will be addressed appropriately and that the development will be suitable for use in accordance with Policy GP5 of the Leeds Unitary Development Plan and Annexe 2 of PPS23.

- 18) Dust generated by vehicles on roads, haul routes and circulation areas within the site in dry weather conditions shall be suppressed by the use of equipment able to deliver sufficient volumes of water and provided on site for this purpose. Immediate preventative action, including the suspension of operations shall be taken if dust generated by machinery on site becomes airborne and can be seen being carried by the wind beyond the site boundary.

In the interests of general amenity and the amenity of occupants of nearby premises in accordance with adopted UDPR policy GP5.

- 19) No works shall begin at the site until full details of the methods to be employed to prevent mud, grit and dirt being carried onto the public highway from the development hereby approved, have been submitted for the approval in writing of the Local Planning Authority. The methods thereby approved shall be implemented at the commencement of work on site, and shall thereafter be retained and employed until completion of works on site.

To ensure that mud is not deposited on the road in accordance with adopted UDPR policy GP5.

- 20) No construction works shall take place outside the hours of 0700 hours to 2300, or as otherwise agreed in writing by the Local Planning Authority.

In the interests of amenity of nearby residents in accordance with adopted UDPR policy GP5.

- 21) No works shall take place on the site until full details of provision to be made for the storage, parking, loading and unloading of contractors' plant, equipment and materials, and the parking of vehicles of the workforce, has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided for the duration of the development works.

In the interests of the free and safe use of the highway in accordance with adopted UDPR policies T2 and GP5.

- 22) Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, public open space or for filling and level raising shall be tested for contamination and suitability for use. A methodology for testing these soils shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto site. The methodology shall include information on the source of the materials, sampling frequency, testing schedules and criteria against which the analytical results will be assessed (as determined by risk assessment). Testing shall then be carried out in accordance with the approved methodology. Relevant evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved in writing by, the Local Planning Authority prior to these materials being imported onto the site.

To ensure that contaminated soils are not imported to the site and that the development shall be suitable for use with respect to land contamination in accordance with national and Leeds City Council's planning guidance.

- 23) Details of the proposed means of disposal of foul and surface water drainage, including details of sustainable drainage techniques, balancing works and off-site works, as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of building foundations. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

To ensure that the development is properly drained using sustainable drainage techniques where appropriate in accordance with adopted UDPR policy GP5.

- 24) The hours of delivery to and from the premises, together with loading and unloading within the premises shall be restricted to 0700 hours to 2300 hours daily.

In the interests of amenity in accordance with adopted UDPR policy GP5.

- 25) Before the development is occupied full details of a site servicing strategy to control the delivery and collection of goods to the site shall be submitted to and agreed in writing by the Local Planning Authority. The strategy shall be implemented as thereby agreed and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway safety and amenity in accordance with adopted UDPR policies T2 and GP5.

- 26) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) planning permission shall be obtained before any change of use, of the A3 and A4 premises referred to in this permission, to any use within Use Class A1 as defined in the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking or re-enacting that Order with or without modification).

In order that the Local Planning Authority can retain control over uses which it considers could be harmful to the character of the area and the viability of the City Centre in general in accordance with adopted UDPR policy GP5.

- 27) Prior to the commencement of any ground works on site, a detailed scheme comprising (i) a recycled material content plan (using the Waste and Resources Programme's (WRAP) recycled content toolkit), (ii) a Site Waste Management Plan for the construction stage, and (iii) a 'Very Good' rated BREEAM methodology and initial assessment by the applicant (iv) an energy strategy showing a target of 20% reduction of CO2 emissions and a minimum of 10% of on site energy will arise from a combination of Low or Zero Carbon (LZC) technologies shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the detailed scheme; and

(a) Prior to the occupation of the development a post-construction review statement with a copy of the BRE certificate and scoring sheets and final details of the energy plan and on-site energy production shall be submitted by the applicant and approved in writing by the Local Planning Authority;

(b) The development comprised therein shall be maintained and any repairs shall be carried out all in accordance with the approved detailed scheme and post-completion review statement or statements.

In the interests of sustainable development and construction measures in accordance with Policy GP11 of the Council's adopted Unitary Development Plan (2006).

- 28) Full details of the proposed green roof including its extent, construction, planting details and maintenance arrangements shall be submitted to and agreed in writing by the Local Planning Authority prior to construction of the roof. The works shall be implemented and thereafter maintained as agreed.

In the interests of biodiversity and to ensure the development complies with the submitted proposals in accordance with adopted UDPR policies GP5 and GP11.

- 29) Prior to first occupation of the development a waste management plan for the building shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall be implemented as thereby agreed upon occupation of the building and thereafter retained.

In the interests of sustainable use of the site in accordance with adopted UDPR policy GP11.

- 30) Full details of:

a) the proposed dropped kerbs and tactile paving on the north western side of Portland Crescent; and

b) the proposed replacement of the existing parking bay markings with continuation of the yellow road lining and provision of the service loading bay on Portland Crescent,

shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be implemented as thereby agreed prior to the first occupation of the development.

In the interest of highway safety and amenity in accordance with adopted UDPR policy T2.

- 31) The use shall not be brought into operation until a grease trap has been provided on the drainage outlet(s) from the food preparation area(s). The grease trap shall be retained at all times thereafter.

To ensure the removal of grease from waste effluent in the interests of general amenity.

- 32) If the development works hereby permitted are stopped prematurely and before completion of the building, a scheme detailing temporary landscaping, boundary works and cladding to the building shall be submitted to the Local Planning Authority within two months of the cessation of development works, for approval in writing. The agreed works shall then be implemented within 3 months of approval. The approved temporary works shall be retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

In the interests of visual amenity and the general amenity of adjacent owners and occupiers in accordance with adopted UDPR policy GP5.

- 33) Prior to first occupation of the development a real time bus information display, the details of which shall have been submitted to and agreed in writing by the Local Planning Authority, shall be provided within the reception lobby of the hotel. The real time bus information display shall thereafter be retained in accordance with the approved details for the lifetime of the development.

In the interests of providing sustainable transport options in accordance with policy T2 of Leeds UDP Review.

- 34) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 35) Prior to first occupation, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall accord with current policy and guidance and be fully implemented and operated in accordance with the agreed timescales.

In the interests of encouraging transport other than single car occupancy in accordance with sustainable transport principles and adopted Leeds UDP Review (2006) policy T2C

- 36) Prior to the construction of external finishing materials, full details of the wind mitigation measures to be incorporated around the northwest corner of the building shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to first occupation and retained and maintained thereafter.

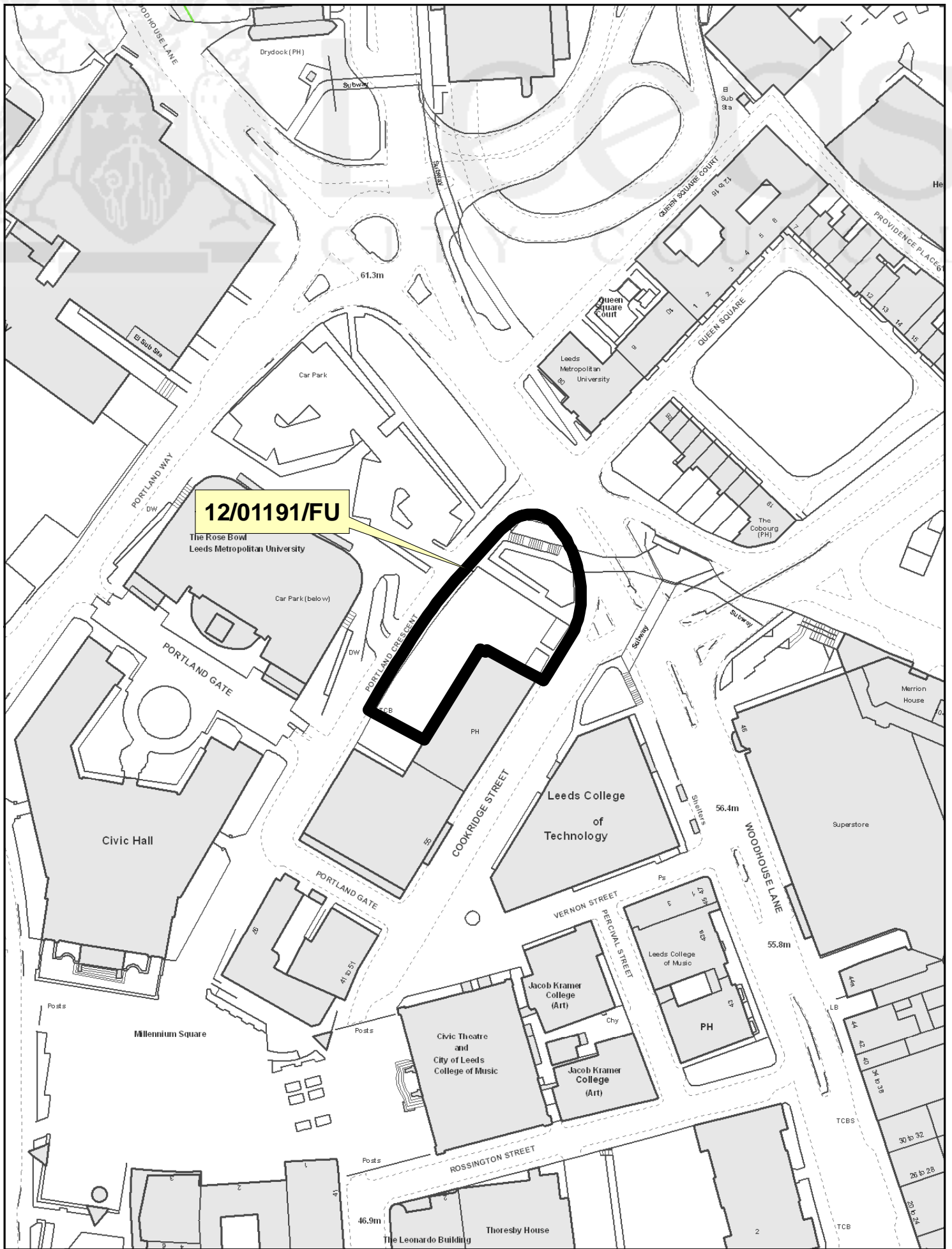
To ensure appropriate wind mitigation measures are in place in accordance with adopted UDPR policy GP5 and Supplementary Planning Document the 'Tall Buildings Design Guide'.

- 37) In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, GP11, GP12, N12, N13, N23 - 26, T2, T2C, T24, N15, N16, N17, CC9, CC10, CC11, CC12, CC13, BD4, CD5, T5, T6, A4, SA9, SP8, CC27, LD1.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.





# CITY CENTRE PLANS PANEL

