



Report of the Chief Planning Officer

PLANS PANEL CITY CENTRE

Date: 30th August 2012

Subject: APPLICATION 10/00923/OT – OUTLINE PLANNING APPLICATION FOR REDEVELOPMENT OF LAND AT MEADOW ROAD FOR USES WITHIN THE FOLLOWING CLASSES B1, D2, C1, C3 (UP TO 296 RESIDENTIAL UNITS) AND ANCILLARY A1, A3, A4, AND A5 USES, INCLUDING ASSOCIATED WORKS FOR THE FORMATION OF SITE ACCESS ROADS AT LAND BOUNDED BY MEADOW ROAD, JACK LANE, BOWLING GREEN TERRACE AND TRENT STREET, LEEDS 11

APPLICANT

Montpellier Estates Ltd

DATE VALID

3/3/10

TARGET DATE

23/7/10

Electoral Wards Affected:

City & Hunslet

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATIONS: DEFER and DELEGATE to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations;

- public transport contribution (£1,101,310);
- education contribution (equating to £2980.42 for each 3+ bed dwelling if more than fifty 3 bed dwellings are provided);

Securing the travel plan, car club contribution and travel plan monitoring fee (£15,000);

- penalties (including financial) if the travel plan targets are not met;
- delivery of 5% affordable housing (or the percentage required by the affordable housing policy adopted at the time);
- public access arrangements to ensure 24 hour access is provided through the site
- securing the car park management plan
- £20,000 on-street car parking mitigation fund if it is found that the development creates on-street parking problems in nearby streets
- £6,000 for each of the pay and display parking bays removed from Trent Street, Bowling Green Terrace and Jack Lane (54 spaces = £324,000)

- ability to submit a viability appraisal if the developer believes the scheme and current contributions to be unviable
- training and employment initiatives to ensure local people are involved in the delivery of the scheme;
- section 106 management fee (£5250).

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.

1.0 PURPOSE OF THIS REPORT:

1.1 This is a major mixed use proposal on a large site in an important gateway location. A position statement regarding the proposed scheme was presented to Members on 1st July 2010. Members raised a number of queries regarding the scheme and a workshop was held 16/9/10. Officers have been involved in further discussions that have sought to address the issues highlighted at the workshop and the proposal is now brought to Panel for determination.

2.0 PROPOSAL:

2.1 This outline scheme seeks approval for the principle of development and means of access only, all other matters (scale, appearance, landscaping, and layout) are reserved.

2.2 The scheme would comprise of 10 buildings providing office, residential and leisure (primarily hotel) accommodation, a multi-storey car park (MSCP) and ancillary retail units. The table below highlights the maximum floorspace proposed:

Use	Maximum Floorspace (Gross External Area M ²)	
Office (B1)	93,071	
Residential (C3)	22,427	Up to 296 units
Retail (A1)	2,499	
Food and Drink (A3-A5)	1,483	
Leisure (incl. casino) (D2)	8,908	
Hotel	22,852	
Miscellaneous	751	
Car Parking	44,066	1,552 spaces
Total	196,057	

2.3 Consent is sought for an amount of development up to the maximum floorspace identified above. Parameter plans have been submitted that show the minimum and maximum footprints and heights of the proposed buildings. In addition there is a parameter plan that shows the minimum and maximum distances between buildings to ensure appropriate separation and amenity space is provided.

2.4 Primary uses for the ground floor and upper floors of each building would have possible alternative uses. Ground floor 'active frontages' (A1, A3-A5 uses) are provided along the north-south pedestrian route through the heart of the development and along the Sweet Street frontage.

2.5 As the scheme is in outline only, full details regarding form and design are not known at this stage. However, in addition to the parameter plans, a design code

further highlights various parameters, design principles and precedent images of buildings materials that will influence the future reserved matters submissions. The design code also identifies how temporary works will take place as the site is built out in phases.

- 2.6 A large area of public open space is located in the middle of the site that is intended to provide a 'green heart' to the development. On the western boundary are the residential blocks (R1, R2, R3). The MSCP (CP1) is located to the south of this open space with three office buildings (O2, O3, O4) fronting Meadow Road in the east. There is a further office block (O1) and the hotel/casino development (C1, H1, H2) at the northern end of the site on the Sweet Street frontage.
- 2.7 Vehicular access/egress points are available from Sweet Street and Bowling Green Terrace with an additional egress point onto Jack Lane. Further service routes will be provided within the site. The scheme also allows for the delivery of a cycle lane running north-south within the site (as requested by Members when considering the previous outline approval).
- 2.8 A Car Park Management Plan has been submitted that highlights how the multi-storey car park will be managed to ensure it provides UDPR allocated parking, car sharing and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation of the car park in accordance with UDPR allocations. Around 450 parking spaces will be provided in the basements of the proposed buildings.
- 2.9 The electricity substation currently in the centre of the site will be relocated into the proposed MSCP on the southern boundary.
- 2.10 A section of Trent Street is to be closed and Bowling Green Terrace is extended up to Sweet Street.
- 2.11 The scheme is a phased development, areas of public open space and highway works are delivered with relevant building phases.
- 2.12 As this is a major multi-phase and multi-building development, the applicant has requested the time limit for implementation be increased. In line with government guidance that permits planning authorities to agree extended time limits, and other recent approvals in the city centre, an increase of the normal time limit is considered appropriate. Conditions will restrict the development to no more than 4 phases and require phase 1 reserved matters to be submitted in 5 years with following phases submitted every two years.
- 2.13 The application is supported by the following documents:
- Planning Statement.
 - Design and Access Statement
 - Design Code and Sustainability Statement.
 - Various plans for approval and for information.
 - Transport Assessment.
 - Car Park Management Plan.
 - Environmental Site Investigation.
 - Geo-Environmental Desk Study.
 - Master Travel Plan.
 - Residential Travel Plan.
 - Noise Assessment.

- Air Quality Assessment.
- Wind Impact Assessment.
- Ecological Habitat Report.
- Utilities Statement.
- Statement of Community Involvement.
- Flood Risk Assessment.

3.0 SITE AND SURROUNDINGS:

- 3.1 The site lies within the southern part of the City Centre, immediately west of Meadow Road, which is the main distributor to the City Centre from the M621.
- 3.2 The site measures 3.79 hectares.
- 3.3 The area has been predominantly commercial in the past but much of the site is now cleared and used as a commuter car park. Halfords are located in the north east corner of the site; there is an electricity substation in the middle. Previous uses include a bowling alley, car dealership and repair garage and associated open parking areas.
- 3.4 There is a large electricity sub-station within the site, and industrial units to the west. Small, low industrial units lie to the south across Jack Lane. To the north, across Sweet Street is the City Walk development consisting of offices, Bewleys Hotel and residential units, rising to 10 storeys, two cleared sites providing further commuter car parking but with approval for an 8 storey office block and the 'Mint' development consisting of 8 storeys of offices. Planning application 09/03829/OT approved a multi-storey car park and two office blocks of 6 storeys in height on the site to the immediate west of 'City One'.
- 3.5 The site rises from Sweet Street southwards towards Jack Lane.
- 3.6 The eastern portion of the site lies within a Prestige Development Area as designated by the Leeds Unitary Development Plan Review (2006). The site is outside Holbeck Urban Village with the boundary being Sweet Street to the north of the site.
- 3.7 There are gas pipelines running along the northern and southern edges of the site and flood zones 2 and 3 extend into the northeast portion of the site.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 20/517/04/OT: Outline application for a multi-level development up to 40 storeys with 450 flats, offices, hotel, casino, MSCP (1550 spaces), A1, A3, A4, A5, approved 19/9/06. This consent was for a similar major mixed use scheme to that currently proposed. This scheme was on a slightly smaller site as it did not include the former LA Bowl site that is now included in the current application. This consent expired in September 2009 and, in addition to the application below, established a number of principles for a major mixed use development in the area.
- 4.2 20/476/02/OT: Outline application to erect up to 22 storey hotel & casino, offices A1 A3, A4 and A5 food & drink units and multi storey car park, approved 21/2/03. This was the first major mixed use approval for a site that excluded the former LA Bowl site and the warehouse to the southwest.

4.3 11/05281/FU: A 742 space temporary commuter car park was approved at the 15/3/12 Panel.

5.0 HISTORY OF NEGOTIATIONS:

5.1 Officers commenced discussions on the current proposals in 2007. Initially, a number of workshops took place to undertake an urban design analysis of the site and surrounding area and establish 10 key urban design principles. This analysis and design principles were then used to develop the site layout and parameter plans that formed part of the application submission. Detailed discussions have also taken place regarding the highways implications and section 106 heads of terms.

5.2 A pre-application presentation was made at the 5th November 2009 Panel. The scheme architects presented the proposals and Members made the following comments:

- Was there any affordable housing included in the scheme? *Response: In accordance with policy, the scheme will aim to deliver affordable housing on site.*
- A daylight/sunlight study should be submitted to ensure sufficient light will penetrate the residential units and open space. *Response: A sun path study for the months of April, July and October has been submitted in support of the scheme and a brief commentary is provided in the design and access statement. The main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations. Information has been provided in the design code that highlights the quality of the design of the open spaces.*
- The scheme should include good street and feature lighting. *Response: Feature lighting columns have been identified on the main north-south pedestrian route through the central public space to highlight this route. Full details of the lighting will be conditioned.*
- There was uncertainty regarding the quality of the open space, potential dominance of buildings and the amount of light into these spaces. *Response: Further details regarding the amount, usability and quality of the open space is provided within the supporting documents. The scheme complies with UDPR policy CC10 that requires a minimum of 20% public open space. A more detailed appraisal of the public open space is provided in section 10 below.*
- Has sufficient public open space been included? *Response: See comment above and appraisal section below.*
- The site is a prominent and important site and needed to be dynamic. *Response: The indicative layout proposes a layout that introduces new pedestrian connections and the potential for landmark buildings. The flexibility of the proposals, design code and developer's commitment to using a number of architects to design the individual buildings will further ensure a high quality dynamic site.*
- Whilst accepting the need for flexibility, it was important that the maximum tolerances were not pursued across the whole site as this would lead to a reduction in amenity space. *Response: The maximum tolerances cannot be achieved across the whole site with regard to building heights. The parameter plans include a plan that requires minimum distances between buildings to ensure the amenity space is kept to an acceptable level.*

- 5.3 Following the presentation to Members, officers continued discussions with the applicant to ensure the submitted scheme was developed to reflect members' comments.
- 5.4 The applicant carried out a public consultation exercise in the Ante Chamber of the Civic Hall on the same day as the pre-application presentation, 5/11/09. Invitations were sent to 20 businesses adjacent to the application site, ward councillors, members of the Leeds, York and North Chamber of Commerce and an advert was placed in the Yorkshire Evening Post. This event displayed the proposals and was attended by 20 people, 4 comment sheets were submitted. The comments largely supported the scheme and its greenspace, there were comments requesting family housing and local employment.
- 5.5 The applicant also met with Leeds Civic Trust on 6/11/09. In a letter from the Civic Trust support for the scheme was offered and it was stated it was a significant improvement on the previous scheme. The Civic Trust also believed the scheme proposed better integration into the surrounding area and supported the mix and distribution of uses.
- 5.6 The application was submitted 3/3/10 and a position statement was presented to Panel 1/7/10. A copy of the minutes of this meeting including queries raised and responses provided are copied at Appendix 2.
- 5.7 To allow a more informal evaluation of the proposals, a workshop was held 16/9/10. A variety of comments were made regarding the proposals and a summary of these is provided below. A response is provided to each point.
- The influence of the first building constructed, how does this impact on the masterplan/subsequent buildings, how will the site's development be managed?
Response: All phases will accord with the masterplan and parameters agreed with the outline application. The design code and conditions require the masterplan and parameter plans to be updated with each reserved matters submission to ensure the principles set out now are continued through each phase. Those principles include how the scheme will appear with or without a tall building.
 - The need for temporary works and a need to understand the phasing. *Response: The design code outlines the principles behind the phasing and temporary works (such a footpaths, landscaped areas) and further details are required with each reserved matters.*
 - The extent of the parameters, particularly H1/H2. One member stated the parameters should be no more than 1-2 floors. *Response: Some of the parameters are still significant (up to 22 storeys) but most parameters are much less. For such a large city centre site with few restrictions regarding height, such variations are considered acceptable. Additional detail is provided in the design code that provides further clarity on the relationship between buildings to ensure there are not great disparities in heights across the site and appropriate relationships between buildings.*
 - The importance of the site at the entrance to the city centre and importance of the Meadow Road elevations of O2-O4. – *The design code highlights the importance of the eastern elevations of O2-O4 and southern elevation of O4 and commits to quality surfacing and a major piece of public art at the southern gateway location. The developer intends to introduce this public art as part of the enhancements to the approved commuter car park.*

- The potential for improving the pavement into Holbeck adjacent to the slip road. *Response: Highways officer have been to site and examined the area in question. It is considered that the pavement is well surfaced, of sufficient width, well lit and includes a cycleway therefore improvements have not been sought. The developer will be upgrading the subway under the M621 toward Beeston/Holbeck Moor and will introduce a cycleway adjacent to Meadow Road.*
- Does the MSCP block the north-south route? *Response: This has been examined in detail and the MSCP is proposed to be cut back at the lowest three levels to ensure views and a pedestrian route are provided out of the southwest corner of the site.*
- The need for a site visit, can the site be viewed from above (from within Bewleys/The Mint)? The need to understand the site layout when visiting, particularly the office boulevard and central open space. *Response: Contact has been made with the building manager of the Mint and it is hoped a visit can be made.*

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 An advert was placed in the Leeds Weekly News 18/3/10 and site notices were placed around the site on 12/3/10.
- 6.2 Leeds Civic Trust has commented on the scheme and generally support the proposals. The Trust believe this is a significant improvement on the previous scheme and will integrate into the grain of the city. The mixed use character will increase activity to Holbeck and it will be important to create a safe and direct route across Sweet Street. The layout of uses seem appropriate but the proximity of the proposed MSCP to the west of the site could restrict the amenity of the proposed residential units. The tall building is appropriate in this location and its design should be of a high quality. More than one architect should be used to design the buildings. *Response: The MSCP car park to the west would be no less than 16.5m from the proposed residential block (and could be up to 24m away), this separation is considered compatible with the existing city centre character and urban grain and would not unduly detract from adjoining residential amenity. The detailed design of the MSCP will ensure that there are no adverse effects on amenity (eg car headlights etc). The design code highlights quality design and the developer's commitment to seeking multiple architects designing the buildings. Crossing routes across Sweet Street are being examined by highways colleagues.*
- 6.3 One letter of support has been received from Rushbond Plc that own the land on the western side of Bowling Green Terrace. Rushbond are generally supportive of the mixed use scheme. However, Rushbond believe the central space is inward facing resulting in the buildings turning their back on the Rushbond site. The buildings adjacent to their site are substantial. *Response: The scheme has developed with buildings on the back edge of Bowling Green Terrace and it would be inappropriate to set the buildings in from the highway and create any limited and difficult to use open space. The large central space will meet public open space requirements for the site and much of the area and will extend to the western edge of the site and therefore allow adjacent developers to link to and associate with this space. Whereas the proposed buildings are taller than the existing commercial units they respect the more recently constructed buildings and heights intended for the area as supported by the Holbeck Urban Village Planning Framework.*

7.0 CONSULTATIONS RESPONSES:

7.1 **Statutory**

7.2 **Environment Agency:** No objection subject to a condition requiring a sustainable drainage system be agreed.

7.3 **Health and Safety Executive:** The site falls within the consultation distances of two high pressure gas pipelines. Only landscaping and access roads are located within the inner zone of the pipeline on Sweet Street and part of the MSCP and less than 10% of office block O4 are within the inner and middle zone of the pipeline at the south of the site. As such there is no objection on safety grounds.

7.4 **Highways:** A highway improvement scheme has been submitted to provide traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site. Further testing of the impact on the highway has taken place and is considered acceptable. Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians. A car park management plan (CPMP) has been submitted to ensure appropriate management of the MSCP that serves the development. A one-off payment of £6,000 will be required for the removal of each pay and display parking space on Trent Street to cover the loss of revenue.

7.5 **Highways Agency:** A road safety audit has been carried out and is acceptable subject to the implementation of the agreed highway improvements. The travel plan is acceptable.

7.6 **Leeds Bradford International Airport (LBIA):** The tallest building (up to 119m) does not raise any problems. Crane locations and radio masts should be agreed with LBIA and there should be minimal light pollution. *Response: The requirement to inform LBIA regarding crane and radio masts will be added as a direction, the standard lighting condition will also be added to protect against excessive light pollution.*

7.7 **Non-statutory**

7.8 **Access:** The application is in outline and no details regarding access are provided. Such details should be addressed by the reserved matters submissions. No objection.

7.9 **Affordable Housing Delivery Team:** 15% of the residential units should be affordable. *Response: Since this consultation the interim affordable housing policy has been introduced. Affordable housing will be sought in accordance with this policy.*

7.10 **Architectural Liaison Officer:** The site is within a high crime area and consideration of this should be taken into account. The North East Counter Terrorism Unit should be contacted at reserved matters stage and site security should be considered during detailed pre-application discussions.

7.11 **Education:** If any of the residential units have 3 or more bedrooms an education contribution would be required. *Response: Such a requirement will be incorporated into the S106.*

- 7.12 **Entertainment Licensing:** Licenses would be required for any casino/bingo hall and any premises selling alcohol.
- 7.13 **Environmental Health:** The dominant noise source in the area is road traffic, this issue is addressed in the noise report, double glazed non-opening windows and alternative ventilation will address this concern. Standard conditions are requested plus conditions restricting entrance/exit doors to the hotel and casino being onto Sweet Street only to protect the amenity of the residential accommodation. *Response: An appropriate condition will be added that requires a full examination of the potential for opening windows and suitable ventilation systems. The site is a major mixed use scheme with many active uses and it is hoped it will be in use 24 hours a day. As such it is not considered necessary or appropriate to restrict the location of the access doors to the casino and hotel uses.*
- 7.14 **Land Contamination:** No objection subject to conditions.
- 7.15 **Mains Drainage:** No objection subject to standard conditions.
- 7.16 **Metro:** Concerns are raised regarding the level of car parking, a public transport contribution should be sought, the developer should demonstrate how people will access the site from the opposite side of Meadow Road, the developer should provide a contribution to a second free city bus, greater commitment to the travel plan measures should be provided and there is an objection to the shortening of the bus lane on the inbound Dewsbury Road. *Response: The car parking is in accordance with UDPR allocation. The development will trigger a public transport contribution in accordance with policy but there is no second 'free' city bus proposed at this time and no policy for this specific contribution. Until such a requirement for the second free city bus is identified, public transport contributions will continue to assist the delivery of improvements already identified. It is envisaged most people will arrive at the site from the north or south, existing crossing points are provided on Meadow Road. Improvements to the travel plans have been made and these documents are now considered acceptable. The shortening of the bus lane is relatively short and will assist the free flow of other traffic; there is no objection from highways officer or the Highways Agency on this matter.*
- 7.17 **Northern Gas Networks (NGN):** NGN object to the scheme unless there is reference to the potential need to divert the pipelines and the lead in time to complete this work. NGN would like any planning consent granted to make reference to the need to permit NGN to undertake a risk assessment to examine if the pipelines will need to be moved and if they need time to complete the works. *Response: The Health and Safety Executive (HSE) are the statutory consultee regarding the gas pipelines adjacent to the site and they raise no objection to the proposals, as with the previous planning applications. Primarily landscaping and access roads and only a small amount of the buildings are affected therefore no objection is raised. However, the pipeline operator, Northern Gas Networks (NGN) (a non-statutory consultee), still object to the proposal unless the development is prevented from being commenced until they have relocated and therefore downgraded the pipeline. The legal requirement to downgrade any risk posed lies with the NGN therefore, as with the previous planning applications approved at the site, withholding planning permission or a condition restricting the commencement of the development on this ground is not appropriate. The regulations regarding the safety of the pipeline are enforced by the HSE under separate legislation and the planning authority should not try to duplicate control or legislation. It is therefore considered there can be no concerns regarding granting planning permission on safety grounds. Whilst concerns expressed by NGN have been taken into account*

as a material consideration, on balance, whilst NGN may have to reconsider its operating methods in conjunction with the HSE, under its own legislation, the benefits in planning terms arising from the proposals, which are in line with long established proposals for the area, outweigh these concerns. For completeness, a direction will be added to request the developer liaises with the NGN prior to the commencement of development.

- 7.18 **Public Transport Officer:** The proposal will generate a significant number of public transport trips therefore a contribution of £1,101,310 should be sought in accordance with supplementary planning guidance.
- 7.19 **Transport Policy:** The agreed travel plans and monitoring fee of £6,715 must be secured by S106. Conditions should be added that require cycle and motorcycle parking, the location of the car club and the 100 car share spaces and the provision of staff shower facilities.
- 7.20 **West Yorkshire Archaeology Advisory Service (WYAAS):** There are no apparent significant archaeological implications attached to the proposed development.
- 7.21 **Yorkshire Water (YW):** Standard conditions requested including ones requiring easements to the water mains and sewers that cross the site. The baseline layout includes buildings over the line of the sewers and would not be acceptable. Sustainable Drainage Systems (SUDS) should be encouraged. Surface water discharges should have a reduction of a minimum of 30% on current levels to reflect climate change. The submitted Flood Risk Assessment (FRA) is acceptable and indicates discharge rates as previously agreed with YW. *Response: The requested conditions will be added to any approval and will include a condition that ensures reduced discharges. Whereas the potential site layout would conflict with existing sewers and/or water mains the conditions allow for diversion of the water mains to be agreed and implemented prior to the buildings being constructed. This issue has already been raised directly with the developer by YW and should not prevent any grant of planning consent.*
- 7.22 **Yorkshire Forward (YF):** Prior to being disbanded, YF welcomed the scheme as it has the potential to deliver significant economic benefits to the city and wider city region. The development will enhance the entrance to Leeds and assist in the regeneration of Holbeck Urban Village (HUV). The range of uses is appropriate and YF would support uses that further promote social inclusion in the area. The Sweet Street boulevard and central public open space are also welcomed. The highest sustainability standards viable at the site should be sought.

8.0 PLANNING POLICIES:

8.1 Development Plan Policies

- 8.2 **Regional Spatial Strategy (RSS):** 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.

- 8.3 **Unitary Development Plan (Review 2006) (UDPR):** The eastern part of the site is located within a Prestige Development Area (PDA). Other relevant policies include:

Policy GP5: Proposals should resolve detailed planning considerations.

GP11, GP12 (Sustainable Design).

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

BD4: Seeks to minimise impact of plant and machinery.

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

BD15: Public art will be encouraged where appropriate.

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

T5: Satisfactory provision for pedestrians and cyclists.

T6: Satisfactory disabled access.

T24: Parking to reflect detailed UDP parking guidelines.

H4: Residential developments on non-UDPR allocated sites.

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

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

CC4: High quality design and appropriate scale at city centre gateway locations.

CC10: Sites over 0.5ha require 20% public open space.

CC21: Ancillary shopping development can be accepted outside the Prime Shopping Quarter

CC27: Proposal areas within the City Centre.

CC31: Uses appropriate within Prestige Development Areas (incl. hotels, conference, leisure).

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

N12: Fundamental priorities for urban form.

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

LD1: Identifies requirements for landscape schemes

- 8.4 **Relevant Supplementary Planning Guidance.**
- 8.5 **Tall Buildings Design Guide (Adopted April 2010):** This Supplementary Planning Document (SPD) provides guidance as to where tall buildings should and should not be built. The document highlights the importance of design and urban design and seeks to protect the best elements already established within the city.
- 8.6 **Public Transport Improvements and Developer Contributions (2008):** Developments that have a significant local travel impact will be subject to a requirement for paying a contribution towards public transport improvements.
- 8.7 **Holbeck Urban Village (HUV) Revised Planning Framework (2006):** Despite being outside HUV the principles established by the HUV Framework should be closely followed. This includes the guidance regarding the scale of development along Sweet Street, materials and uses.
- 8.8 **Neighbourhoods for Living – A Guide for Residential Design in Leeds (2003):** This SPD provides guidance regarding the themes and principles of residential design; the character and essence of Leeds and the submission requirements and analysis based process.
- 8.9 **Building for Tomorrow Today – Sustainable Design and Construction (2011):** Sustainability criteria is set out including a requirement to meet BREEAM standards.

8.10 National Planning Guidance

8.11 The National Planning Policy Framework (NPPF) came into force on 27th 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

- Principle of development and uses including the retail provision.
- Connectivity and site layout.
- Public open space.
- Scale, form and design principles.
- Highways issues.
- Sustainability and biodiversity.
- High pressure pipelines.
- Section 106.

10.0 APPRAISAL

10.1 Principle of development and uses including the retail provision

10.2 The principle of a major mixed use development in this area has been established by the previous two planning approvals. Whereas the site has now increased in size and therefore resulted in a change to the amount of development proposed, the principle of redeveloping this largely cleared brownfield site is supported.

10.3 The development is located within the city centre and proposes a type and mix of uses similar to previously approved and in accordance with current development plan policy and national guidance that seeks to promote sustainable development in accessible locations and leisure uses within defined centres. The PDA designation supports the range of uses proposed.

10.4 The maximum retail content proposed is similar to that previously permitted. The amount of retail amounts to approximately 1% of the total floorspace proposed for the development. However, this is still a significant amount outside the designated Prime Shopping Quarter (PSQ), up to 2,499m². Policy CC21 and paragraph 13.6.9 of the UDPR promote ancillary shopping outside the Prime Shopping Quarter. It is still considered that the proposed retail content at the City One site could serve the site itself plus the existing and proposed developments nearby. Subject to conditions that seek further agreement regarding the scale of units and type of goods sold (greater emphasis on convenience goods rather than comparison) the retail content is considered acceptable and will not detract from the vitality and viability of the Prime Shopping Quarter. The draft Core Strategy supports the introduction of local centres outside the Prime Shopping Quarter to serve local development, particularly south of the city centre.

10.5 Connectivity and site Layout

10.6 In addition to the understanding of the site and its surroundings identified during the course of approving the two previous planning applications, this scheme benefits from detailed pre-application discussions, a Panel workshop and lengthy officer

discussions. A detailed urban design analysis of the site and surrounding area and a number of workshops took place to establish ten key urban design objectives that have influenced the scheme now proposed. The site layout fully accounts for the existing and proposed communities in the area and will significantly improve connections to and from the city centre, HUV and other nearby sites.

- 10.7 The urban design analysis identified key pedestrian access points and desire lines within the locality of the site and wider area and sought to clearly identify with these by locating the pedestrian routes into and out of the site in relation to the identified points and routes. One of these routes identified and incorporated into the scheme effectively links the Beeston area via New Princess Street to the southwest of the site, through the main public open space within the site, and onto Sweet Street and the city centre beyond. This was identified as being one of the key routes the site should deliver and resulted in the large area of public open space (5,250m²) in the centre of the site and the various ancillary routes into and out of this space. The design code ensures connecting vistas are introduced at various points along this route.
- 10.8 In addition to the creation of the principal open space, associated linking spaces and pedestrian routes, another of the ten key urban design objectives sought to introduce a strong built form on Sweet Street, Meadow Road and Jack Lane to create a boundary to the site and define the street edge. Such definition has been achieved by locating on or close to the boundaries of the site whilst the large open space and linking spaces ensures the site is not an insular development but one with a strong edge that still integrates with the surrounding area.
- 10.9 The location of the gas pipeline at the Sweet Street boundary has restricted development in this area therefore whereas a strong building line has been achieved, this is set back from Sweet Street. Such a strong building line (in addition to the scale of buildings discussed below) ensure the HUV Framework's aspiration to create the sense of an avenue along Sweet Street is achieved.
- 10.10 As the application is in outline only with layout being one of the reserved matters, parameter plans have been submitted that identify the minimum and maximum distances between buildings plus minimum and maximum building footprints. These plans ensure the appropriate vehicular and pedestrian access points can be delivered whilst allowing for flexibility in the final scheme. The layout parameters have been carefully examined to ensure appropriate distances between buildings are provided in the interests of streetscape, privacy, public open space and connectivity. As a minimum the site layout achieves significant open space and pedestrian connectivity in conjunction with the potential for attractive streetscapes and ensures distances from residential properties to other buildings achieves a 15m separation to protect privacy. Open space and the streetscapes (including the scale of the buildings) are discussed in more detail below.
- 10.11 Public open space
- 10.12 As identified above, pedestrian connectivity and the resulting public open space has been a key driver in the development of the scheme to ensure appropriate connections are made and a minimum of 20% public open space is achieved in compliance with UDPR policy CC10. If all maximum building parameters were proposed at reserved matters stage, therefore resulting in the minimum acceptable distances between buildings, the proposal would still meet the requirements of policy CC10. The open space would be significantly increased if the distances between buildings were greater than the minimum space parameters.

- 10.13 In addition to ensuring the amount of public open space is compliant with policy and the aspirations for the site, details of the quality of the spaces have been sought with information provided within the design code and associated plans. The design code designates eight areas within the site and promotes a type of space suitable for that location. For example, the large central space (5,250m²) is identified as the 'green heart space' that will incorporate 'lawns, parkland trees and a formal pedestrian avenue linking the north-south axis of the park. The use of natural materials such as timber to vertical structures and resin bound aggregate to footpaths' to emphasise its 'parkland character'.
- 10.14 Another important part of the site is the space adjacent to Sweet Street. This will take the form of a 'tree-line boulevard with avenue tree planting, integrated parking and wide pavements'. It will include the use of stone to crossing points to add warmth and texture to the urban street scene whilst other surfacing materials will demark areas under tree canopies and key intersections.
- 10.15 In addition to the specific references to the eight identified public open space areas, the design code commits to using materials referenced within the HUV Framework, despite being outside the framework designation, to complement those within HUV.
- 10.16 The principles established in the design code will clearly determine the type and feel of the public open space across the site. In addition a plan defining active frontages has been submitted. This will ensure that the design of the buildings into the key public open spaces plus some of the uses within them will provide an appropriate setting to the spaces. Retail uses plus leisure uses such as bars and restaurants are proposed in these areas.
- 10.17 At the pre-application presentation members raised queries regarding both natural and street light within the public open spaces. As stated at 5.2, a sun path study for the months of April, July and October has been submitted in support of the scheme that shows the main public spaces benefit from direct sunlight during the times of day when they will be commonly used, lunchtime through early afternoon in the spring and summer. Direct sunlight is more restricted in the late autumn and winter, as would be the case in many city centre locations.
- 10.18 With regard to street lighting, the submitted plans identify feature lighting columns on the main north-south pedestrian route through the central public space. Full details regarding lighting will be conditioned.
- 10.19 The proposed scheme introduces an acceptable amount of public space and commits to introduce high quality spaces specifically designed to meet the needs of its particular location. Active frontages further enhance the spaces and full details of all landscaping will be required by condition and reserved matters.
- 10.20 This is a major scheme comprising ten building on a site of almost four hectares, therefore it is envisaged that the sites development will be phased. To ensure the key open spaces and connecting routes are delivered with the phases, the design code commits to delivering these pieces of urban infrastructure with the relevant phase. A 'Delivery Phase Diagram' clearly highlights this point and will be presented to Panel to clarify this point.
- 10.21 The design code also highlights the temporary works that will be introduced whilst the site is being developed incrementally. Temporary surfacing and landscaping

works are proposed in the areas not being fully developed to ensure the key pedestrian routes and spaces are still provided, albeit in a temporary manner.

- 10.22 The proposed layout is in keeping with long held aspirations for the site and is considered to provide links to key sites and communities in the surrounding area. The design code commits the developer to completing the spaces within the site to a high standard and to include public art whilst also ensuring temporary works take place if the site is developed in a phased manner.
- 10.23 Scale, form and design principles
- 10.24 Parameter plans have also been submitted regarding the height of the proposed buildings. The key influences to have determined the scale of the proposals include the existing buildings in the area, general urban design objectives highlighted in UDPR policy, the HUV Framework, tall buildings SPD and the previous planning approvals. One of the 10 urban design principles agreed through the pre-application design development also sought to achieve a diverse skyline that frames views into the city. At the pre-application presentation to panel it was stated by one member of the panel that a dynamic development should be sought at this key gateway site.
- 10.25 The HUV Framework promotes buildings of around 7-9 storeys on the northern side of Sweet Street that would in turn closely reflect the scale of the existing Bewleys Hotel at the eastern end of Sweet Street. Despite being outside the HUV Framework boundary, 3 of the 4 proposed buildings on Sweet Street (R1, O1, O2) reflect this scale within their parameters.
- 10.26 The exception to this is the casino/hotel building (C1, H1, H2) that has a plinth with a parameter of 2-9 storeys with tower above ranging between 18 and 40 storeys. As this proposal incorporates a plinth, greater flexibility in the scale was considered acceptable as the primary element of the building is the tall tower. Tall towers were approved under the previous applications and the location of this tower is compliant with the tall buildings SPD that highlights suitable locations for tall buildings. The proposed tall building is within the north-south spine of existing and proposed tall buildings, at a gateway location, within a Prestige Development Area (PDA) and within a potential cluster area for tall buildings. This building will act as a 'pointer' for the pedestrian route from the south into the city.
- 10.27 The building in the northeast corner of the site (O2) reflects the 7-9 storeys appropriate on Sweet Street whilst development to the south of this along Meadow Road will be permitted under the parameter plans to increase in height up to a maximum of 13 storeys. This allows for greater prominence of the building in the southeast corner of the site and therefore appears as a gateway building adjacent to the M621 distributor, one of the main routes into the city.
- 10.28 The MSCP on the southern boundary of the site (CP1) and remaining buildings on the western boundary (R2, R3) have proposed heights of 6-12 storeys and 6-9 storeys respectively. The scale of the car park will be determined by the amount of development elsewhere within the site and the relevant level of car parking required. The residential buildings reflect the scale of the buildings proposed at the adjacent site to the northwest.
- 10.29 The building toward the centre of the site (O5/R4) is designed with the greatest flexibility. The parameters allow this building to either be in a lower block form of 2-9 storeys or a taller building up to 40 storeys. The design code places restrictions on

the form this building can take and images presented to Panel will provide the necessary clarity.

- 10.30 Despite being in outline only, a design code has been submitted that highlights a number of key design principles and aspirations that have been identified through the development of the scheme and will influence the final form and appearance of the buildings to be agreed via reserved matters submissions.
- 10.31 The design code identifies where setbacks should occur in many of the buildings to reduce the prominence of upper floors and respect the scale of other buildings in the locality. The design code also requires the buildings along Meadow Road to be within 3 storeys of each other to ensure an appropriate urban form along this important route into the city.
- 10.32 With regard to the taller buildings there is a requirement for the two medium sized towers (H1, R4) to be no more than half the height of the tallest tower (H2), or vice versa, to ensure there is only one tall tower that remains the most prominent and acts as a marker in the area.
- 10.33 The detailed design of the tall buildings will comply with the tall buildings SPD to ensure high quality design and a focus on an appropriate grounding and top to the building.
- 10.34 Precedent images are included within the design code to highlight attractive elements of existing schemes that will be considered for the final design of the proposed buildings.
- 10.35 The scale of the buildings has taken into account the space between the proposed buildings and relationship with other buildings in the area whilst the proposed parameters and design principles ensure the individual buildings and site on the whole are appropriate for the area.
- 10.35 Highways issues
- 10.36 A highway improvement scheme has been submitted to provide traffic capacity for vehicular movements to and from the site and improvements to pedestrian and cycle movement around the site. This has been tested and is considered acceptable subject to a number of highway improvements to aid traffic flow and improve pedestrian safety and connectivity.
- 10.37 Pedestrian improvements include a widened footway/cycleway along the Meadow Road frontage, signal controlled Toucan crossings at the Jack Lane Meadow Road junction and an informal crossing on Jack Lane. Combined with the pedestrian routes through the site it is considered this will provide suitable local improvements for pedestrians.
- 10.38 The proposals will deliver a public transport contribution totaling £1,101,310. It has been agreed that £90,000 of this can be used for improvements to the subway under the M621 and footway/cycleway along Meadow Road. The remainder will be used to fund other measures across the city, primarily the New Generation Transport (NGT) system.
- 10.39 A car park management plan (CPMP) has been agreed that ensures appropriate management of the MSCP that serves the development. This document ensures parking is allocated in accordance with UDPR standards plus the delivery of car

sharing spaces and cycle parking. Any initial overspill parking will be restricted to short stay parking only until full occupation in accordance with UDPR allocations.

10.40 A master and residential travel plan commit to a number of measures in order to reduce car usage on the site. The travel plans measures have been calculated at costing a total of £1.25m and include a £240,000 public transport ticketing fund that will permit new occupiers/residents access to free or cheap public transport tickets.

10.41 The Highways Agency has been closely involved in the proposals and has agreed a Road Safety Audit that was carried out with respect to the M621 junction.

10.42 Sustainability and Biodiversity.

10.43 Sustainability and biodiversity statements are included within the design code that highlights the aspirations of the scheme and how the scheme can respond to issues at reserved matters stage. Reference is made to the developers intention to achieve a minimum of BREEAM very good and Code for Sustainable Homes Level 3. It is intended to naturally ventilate the car park and examine the potential for green roofs and to deliver greater than 10% of the site energy from renewable sources. Conditions will require further details regarding the sustainability measures for each of the reserved matters submissions.

10.44 Section 106

10.45 Heads of terms for the S106 have been agreed and work on the draft document is at an advanced stage. The S106 will have clauses to cover the following:

- Public transport contribution of £1,101, 310 in accordance with SPD5.
- Education contribution (equating to £2980.42 for each 3+ bed dwelling if more than fifty 3 bed dwellings are provided).
- Securing the travel plan, car club contribution and travel plan monitoring fee.
- Penalties (including financial) if the travel plan targets are not met.
- Delivery of 5% affordable housing (or the percentage required by the affordable housing policy adopted at the time).
- Public access arrangements to ensure 24 hour access is provided through the site.
- Securing the car park management plan.
- £20,000 on-street car parking mitigation fund if it is found that the development creates on-street parking problems in nearby streets.
- £6,000 for each of the pay and display parking bays removed from Trent Street, Bowling Green Terrace and Jack Lane (54 spaces = £324,000).
- Ability to submit a viability appraisal if the developer believes the scheme and current contributions to be unviable.
- Training and employment initiatives to ensure local people are involved in the delivery of the scheme.
- Management fee for each clause.

10.46 The S106 includes a clause permitting the developer to submit a viability appraisal. If at any time during the phased development of this site the developer is unable to meet the full provisions of the S106, they may submit a viability statement for assessment. If the Council agrees the scheme is not viable it may agree a reduction in the provisions of the S106 for that phase.

10.47 The matters highlighted above have been considered against the current Community Infrastructure Levy (CIL) tests and are considered necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

11.0 CONCLUSION

11.1 This site benefits from previous major outline proposals and the principles established by those consents and examined in detail throughout the application process are carried through to the final scheme. As this is a large site and a speculative development the scheme is extremely flexible but still incorporates significant controls to ensure an attractive scheme that enhances the existing urban grain and urban form of this part of the city centre. There are major gains from the proposed scheme as a result of both the temporary works carried out during the phased delivery and the completed scheme and the development delivers significant gains in terms of connectivity, public art, enhancements to the local highway network.

12.1 Background Papers:

12.2 Application file 10/00923/OT and history files 20/476/02/OT and 20/517/04/OT.

12.3 Certificate of Ownership signed on behalf of the applicant and notice served on the owner of the electricity substation.

10/00923/OT - APPENDIX 1

(To be submitted as late item)

Appendix 2

Plans Panel City Centre 1st July 2010 Minutes - Application 10/00923/OT - Redevelopment of land at Meadow Road for uses within the following classes: B1, D2, C1, C3 (up to 296 residential units) and ancillary A1, A3, A4 and A5 uses including associated works for the formation of site access roads at land bounded by Meadow Road, Jack Lane, Bowling Green Terrace and Trent Street LS11

(Prior to considering this matter, Councillor Blackburn left the meeting)

Plans, photographs, drawings and precedent images were displayed at the meeting

Members considered a position statement by the Chief Planning Officer setting out the latest proposals for a major mixed-use development on the site known as 'City One' at Sweet Street and Meadow Road. Members noted that the site had benefited from previous major outline consents in 2004 and 2006 so the principle of a major development on this site had been established

When the outline application was submitted, approval would be sought only for the principle of development and access

Details of the parameters for the site layout and building heights were provided with Members being informed that there was flexibility within the site as to where the different uses would be located

In respect of highways issues, the Panel's Highways representative stated that the scheme would contain a large amount of car parking and would generate a significant amount of movement, however the aim was to retain the central area free of vehicles by locating an area of public open space at the heart of the development and enabling pedestrian movement around the site

The intention was to create a few vehicular access points, including extending Bowling Green Terrace to Sweet Street

The site would provide 1500 car parking spaces, with 1100 in the proposed multi-storey car park and 400 basement parking spaces underneath the various blocks

It was felt that there were a number of choices of exit route which would help to spread the load on the highway network. Furthermore several improvements were proposed which would also assist in this, these being the widening of Meadow Road to provide 3 full width lanes of traffic; widening of the junction at Jack Lane and improvements to the slip road off the motorway, although traffic modelling was still being undertaken on these proposals

As the previous scheme had included a casino on the site which would have generated a greater amount of traffic later on in the day, the traffic generated by the proposed development would occur more at peak times and a strong travel plan would be required. Increased pedestrian connectivity would be provided. Improvements being considered included a zebra crossing at the mini roundabout on Sweet Street; possible improvements to the crossing at Manor Road and provision of two central refuges at Jack Lane

Increased cycling facilities were being considered as the applicant had offered to widen the footway along the Meadow Road frontage to provide a segregated cycle track and footway and to provide a Toucan crossing across the mouth of Jack Lane; also cycle routes would be developed into the site

Members were informed that a range of supporting plans and documents had been submitted; that there would be 8 different areas of green space on the site equating to 29.1% public open space and it was felt that the policy requirements would be met

The development would be phased with the influencing factor being future market forces, although with each building which was constructed an area of quality open space would be provided

Members commented on the following matters:

- the maximum and minimum distance and heights which had been shown and whether these would be tweaked to reach a totality
- that there was so much difference in the parameters that a clear picture could not be obtained
- the view that the offices would probably be built first which would create highways problems from day one
- the need to understand how people would travel to the site by car, public transport and walking. There was concern that people driving to the site would add to congestion generally of the roads into the city
- the likely number of people on the site; the targets to be achieved in the travel plan and whether penalties would be considered if targets were not met
- whether a shuttle bus would be provided from the city centre to the site
- that the area had been segregated from the city centre for some time and that this situation should be reversed but that the real opportunity to create an interaction between old and new did not appear to have been taken. An example of this was the proposed park; that it looked inwards and was geared towards the people living and working on the site rather than welcoming those from the nearby communities, with concerns at the emergence of two cities, with a rigid boundary at the M621 and that it was important to create opportunities and access rather than walls
- that the proposals were a positive attempt to address the needs of the area and links with the communities of Beeston and Holbeck were essential
- that larger and more open areas of green space, particularly at the front of the site should be considered through closer siting of the buildings
- that the badly designed pedestrian routes within City Walk should not be replicated on this site
- that the site being so close to the motorway was likely to increase the number of people using cars to access the site
- the level of consultation about the proposals which had been undertaken in the Beeston and Holbeck areas and whether groups representing people with disabilities had been consulted about their requirements for the site
- the need for the layout to be discussed with disabled groups and the need for changing places toilets to be provided
- the importance of approaching the Area Committees for comments on the proposals

Officers provided the following responses:

- that the quantum of development was depicted on the plans displayed at the meeting but that not all of the buildings would be built to the maximum or minimum levels
- that there could be around 4800 employees within the office buildings with the potential at peak hours of 1000 people walking to and from the city centre at peak times
- that the annual travel to work survey of participating businesses across Leeds of people arriving at work by various methods suggested that a target split of 32% arriving by car was reasonably achievable and that incentives for alternative transport methods would be provided eg metrocards and cycling provision
- in terms of penalties if the approved travel plan was not reaching its targets, a fund would be set aside to identify why people were not changing their travel methods to the site with a pot of money being available to provide what was needed
- that a presentation of the proposals had taken place in the Civic Hall Ante Chamber; that letters had been sent to local businesses and that Officers had met with Leeds Civic Trust. In terms of local consultation Officers stated they were not aware of any having taken place

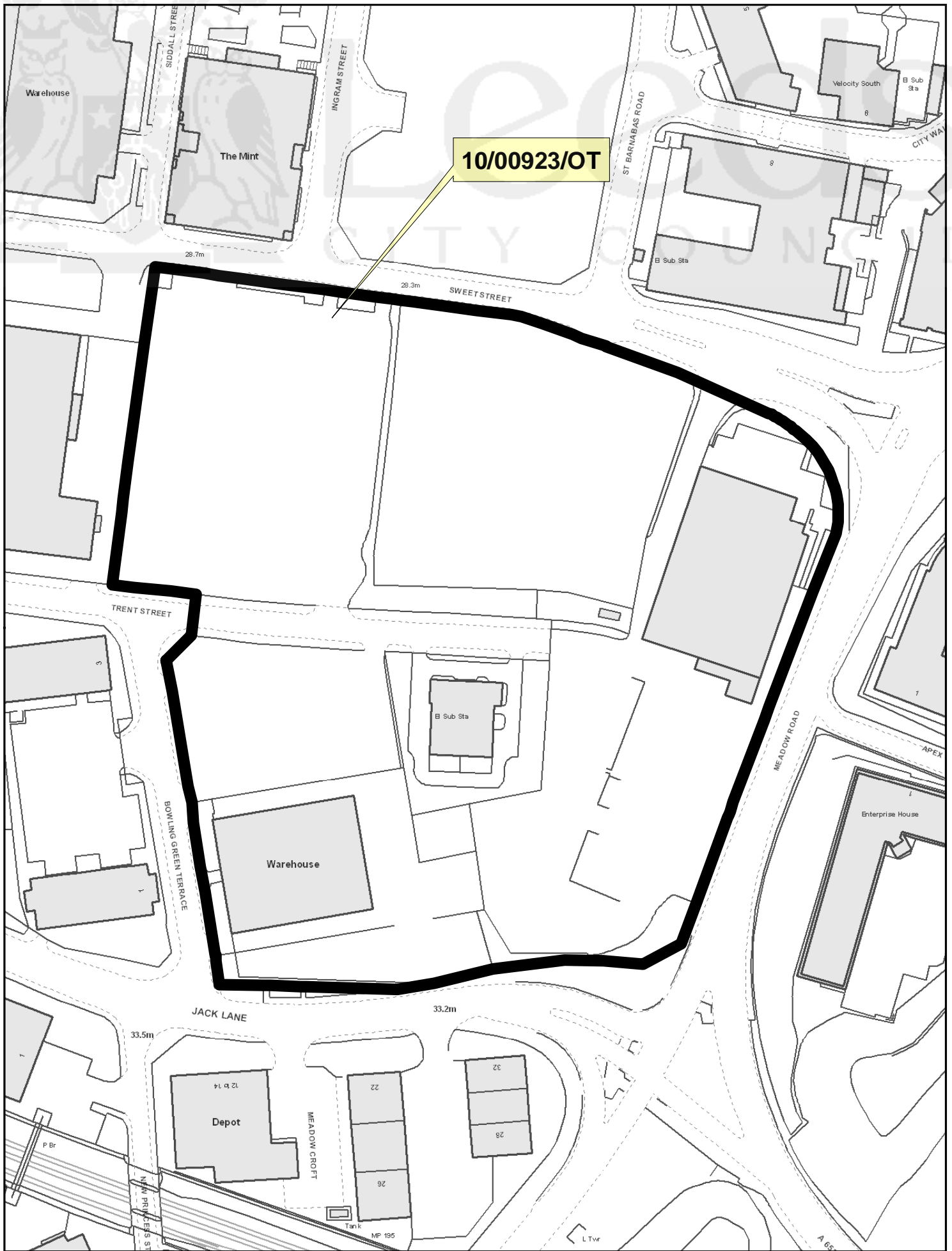
- that the Council's Access Officer had been consulted but that more detailed comments would be sought at the Reserved Matters stage

A summary of issues which required further information to be provided was made, these being:

- a need to understand the highways implications for the site
- the need for a green travel plan that Members could sign up to and which contained clear targets
- further information on the maximum and minimum figures and the need for a better understanding of this
- the need for a phasing plan to be provided
- further details on the public space to be provided and where this would be sited
- the need for more local consultation with surrounding communities to the site
- the need for the applicant to indicate how local people would be encouraged to find work both during the construction phase and beyond

RESOLVED - To the note the report and the comments now made

(During consideration of this matter Councillors Grahame, Latty and Nash left the meeting)



CITY CENTRE PLANS PANEL

