



CITY PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 6th June, 2013
at 1.30 pm

MEMBERSHIP

Councillors

P Gruen	M Hamilton	R Procter	T Leadley	D Blackburn
N Taggart (Chair)		G Latty		
S Hamilton				
E Nash				
N Walshaw				
M Ingham				
J Cummins				
J Lewis				

**Agenda compiled by:
Angela Bloor
Governance Services
Civic Hall
Tel: 0113 247 4754**

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13 -16 of the Members' Code of Conduct.</p>	

Item No	Ward	Item Not Open		Page No
5			APOLOGIES FOR ABSENCE	
6			MINUTES OF THE PREVIOUS MEETING To approve as a true and correct record the minutes of the previous meeting held on 9 th May 2013 (Copy attached)	3 - 22
7	Rothwell		APPLICATION NO. 12/03400/OT - OUTLINE APPLICATION TO LAY OUT RIDENTIAL DEVELOPMENT ON LAND AT ROYDS LANE, ROTHWELL To consider a report of the Chief Planning Officer which sets out details of an outline application to lay out residential development on land at Royds Lane, Rothwell. (Report attached)	23 - 30
8	Rothwell		APPLICATION NO.12/03401/OT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON LAND AT FLEET LANE, OULTON To consider a report of the Chief Planning Officer which sets out details of an outline application to lay out residential development on land at Fleet Lane, Oulton (Report attached)	31 - 38

Item No	Ward	Item Not Open		Page No
9	Cross Gates and Whinmoor		<p>APPLICATION NO. 13/00288/RM - RESERVED MATTERS APPLICATION FOR 177 HOUSES, ONE BLOCK OF 9 APARTMENTS AND ONE BLOCK 6 APARTMENTS INCLUDING ASSOCIATED LANDSCAPING AT OPTARE, MANSTON LANE, CROSS GATES, LEEDS 15</p> <p>To consider a report by the Chief Planning Officer which sets out details of a Reserved Matters Application for 177 houses, one block of 9 apartment and one block of 6 apartments including associated landscaping at Optare, Manston Lane, Cross Gates, Leeds LS15 8SU.</p> <p>(Report attached)</p>	39 - 52
10	City and Hunslet		<p>PREAPP/13/00401 - NEW EDUCATIONAL CAMPUS FOR LEEDS COLLEGE OF BUILDING TO LAND BOUNDED BY CUDBEAR STREET, HUNSLET ROAD AND BLACK BULL STREET, HUNSLET LEEDS 10</p> <p>To consider a report of the Chief Planning Officer which sets out details of a Pre- Application for a new Educational Campus on the former Yorkshire Chemicals site at Cudbear Street, Hunslet Road and Black Bull Street, Hunslet, Leeds 10</p> <p>(Report attached)</p>	53 - 62
11			<p>DATE AND TIME OF NEXT MEETINGS</p> <p>To note that future meetings of Plans City Centre have been arranged as follows:</p> <ul style="list-style-type: none"> (i) Tuesday 25th June 2013 at 9.30am (Start time to be confirmed) (ii) Thursday 4th July 2013 at 1.30pm <p>(Meetings to be held in the Civic Hall, Leeds)</p>	

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To all Members of City Plans Panel

Chief Executive's Department
Governance Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Angela M Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: site visits
Date 28th May 2013

Dear Councillor

SITE VISITS – CITY PLANS PANEL – 6TH JUNE 2013

Prior to the meeting of City Plans Panel on Thursday 6th June 2013, the following site visits will take place:

9.50am		Depart Civic Hall
10.00am		New Educational Campus – Land bounded by Cudbear Street, Hunslet Road and Black Bull Street, Hunslet, Leeds 10 – PREAPP/13/00401
10.40am		Inspection of the newly completed Leeds Arena, Clay Pit Lane, Leeds 2
11.30am		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 9.50am am. Please notify Daljit Singh (Tel: 247 8010) if you wish to take advantage of this and meet in the Ante Chamber at 9.45am.

Yours sincerely

Angela M Bloor
Governance Officer

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CITY PLANS PANEL

THURSDAY, 9TH MAY, 2013

PRESENT: Councillor N Taggart in the Chair

Councillors P Gruen, R Procter,
D Blackburn, M Hamilton, S Hamilton,
G Latty, T Leadley, J McKenna, E Nash,
N Walshaw, J Hardy and T Murray

114 Chair's opening remarks

The Chair welcomed everyone to the last City Plans Panel of the 2012/2013 Municipal Year. He announced that this would be the last Panel meeting for Councillor Murray, who was to be the next Lord Mayor and thanked him for his contributions and any other Members who would be leaving the Panel after this meeting

115 Exempt Information - Possible Exclusion of Press and Public

RESOLVED - That the public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as designated as follows:

The reports referred to in minutes 121 and 130 under Schedule 12A Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4(3) and on the grounds it contains information relating to the financial or business of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicants. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

116 Late Items

The Chair admitted one late item to the agenda (minute 128 refers). The report which related to pre-application proposals at New Dock, Armouries Way, was not available at the time the agenda was despatched and required urgent consideration to enable Panel to have early sight of the proposals ahead of a formal application being submitted in late May. A copy of the report had been circulated in advance of the meeting

Although not formal late items, the Panel was in receipt of two supplementary reports in respect of Applications 12/03400/OT and 12/03401/OT, land at Royds Lane and Fleet Lane LS26, which set out further

representations which had been received (minutes 123 and 124 refer).
These reports had been circulated in advance of the meeting

Members were also in receipt of large scale, coloured layout plans of application 10/04597/OT – Wakefield Road Gildersome, which had been tabled by Officers (minute 120 refers)

117 Declarations of Disclosable Pecuniary Interests

Councillor Nash declared a disclosable pecuniary interest in application 12/01715/FU – proposals for a supermarket on land off Sandbeck Lane Wetherby LS22, through receiving a small income from the Co-op which had a small store in Wetherby (minute 122 refers)

Councillor Leadley also declared a significant other interest as he felt it was in the public interest to do so. This related to application 10/04597/OT – land at Wakefield Road Gildersome Morley, as he had objected to the application when it had first been submitted in 2010 (minute 120 refers)

118 Apologies for Absence

It was noted that Councillor P Gruen would be delayed due to attending another meeting

119 Minutes

RESOLVED - That the minutes of the City Plans Panel meetings of 26th March 2013 and 11th April 2013 be approved

120 Application 10/04597/OT - Outline application to lay out access road and erect light industry, general industry and warehouse development (Use Classes B1C, B2 and B8) Wakefield Road Gildersome Morley LS27

Further to minute 48 of the City Plans Panel meeting held on 13th December 2012, where Panel considered a position statement for a mixed use development on land off Wakefield Road Gildersome LS27, Members considered a further report of the Chief Planning Officer setting out the formal application

Plans, drawings and photographs were displayed at the meeting

Officers presented the outline proposals for a mixed commercial and industrial development on land off Wakefield Road Gildersome LS27

Members were informed that the scheme had been revised since it was last presented to Panel and that a smaller hotel – at 90 bedrooms - was proposed and that this had been achieved by reducing the footprint which also addressed some concerns which had been expressed about landscaping. Unit 4 had also been set back by approximately 10m and the car park had been reduced to also increase the amount of landscaping within the scheme

In terms of the principle of hotel use on the site, this had been considered and the applicant had carried out a sequential test. Although

other sequentially preferable sites had been considered these were either too small or not available. Therefore Officers were satisfied on the principle of hotel use for this site

Regarding access, Highways were now satisfied with the proposed junction although a Highways Agency Holding Direction remained in force until 30th May 2013 in respect of the scope and cost of works at Junction 27. Although the principle of the targets and penalties in the travel plan had been agreed, the latest version of the travel plan needed to be referred to Highways for consideration and if minded to approve the application, this could be attached to the S106 Agreement

The full details of the landscaping scheme would be controlled by condition and a good scheme for the site would be essential

In respect of public transport, it was clarified that the closest bus stop to the site was on Street Lane and that it was this stop that the public transport planning contribution would be spent on

Minor typing errors in paragraphs 7.1, 10.3 and 10.4 of the submitted report were corrected

Two letters of representation were reported. One was from the resident at 69 Wakefield Road who had confirmed that an agreement had been reached with the applicant to carry out works to enable him to access his property with his caravan from the highway. A letter had also been received from the resident at 73 Wakefield Road who had raised concerns about his access arrangements if the scheme was agreed

If minded to approve the application, a further condition relating to sustainable construction was proposed

Members discussed the application and commented on the following matters:

- the principle of hotel use on the site
- whether the Highways Agency had been consulted about the proposed warehouses
- the high cost of the development; the filling in of a disused railway tunnel that crosses the site and the need for this in view of its historic value
- the design of the pub/restaurant and the location of the car park in relation to this
- whether there were other residents on Wakefield Road whose access arrangements could potentially be affected by the proposals

The following responses were provided:

- that the Highways Agency had been consulted throughout the process and was satisfied with the proposals and the figure being provided for off-site highways works to the roundabout
- that a ground condition survey had been carried out for a previous proposal on the site and this had recommended the railway tunnel be filled in for building stability reasons
- that the application was in outline only but that the concerns regarding the position of the pub/restaurant car park in relation to the entrance to this building would be considered at reserved matters stage

- that there were 6 properties off this access point. In terms of the issue of manoeuvrability for the resident at 73 Wakefield Road, the Panel's Highways representative would look into this Panel considered how to proceed

RESOLVED – To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, plus an additional condition in respect of sustainable construction (and any others which he might consider appropriate) and the completion of a Section 106 Agreement to cover the following:

- Provision of a public transport contribution (£48,979)
- Contribution to off-site improvement works at Junction 27 (£44,971)
- Improvements to local bus stop (£10,000)
- Implementation of the travel plan (to be agreed) and monitoring fee
- Local employment opportunities
- Delivery of the physical infrastructure as set out and coloured blue and red on the additional plan circulated to Members

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

During consideration of this matter, Councillor P Gruen joined the meeting

121 Application 12/03459/FU - Multi-level development up to 17 storeys with 609 residential apartments, commercial units (class A1 to A5, B1, D1 and D2), car parking, associated access, engineering works, landscape and public amenity space - Land at Whitehall Road and Globe Road LS12

Further to minutes 105 – 107 of the City Plans Panel meeting held on 11th April 2013, where Panel considered further reports detailing the S106 contributions in respect of the proposed mixed-use development on land at Whitehall Road and Globe Road LS12, the Panel considered a further report. A copy of the full viability assessment which had been considered at the meeting on 11th April 2013, was also submitted, for Members' information

Although one report had been classed as exempt as it contained detailed financial information, the Chair advised that unless any Member wished to revisit this aspect, it was not proposed to discuss the financial viability report further and therefore the public did not need to leave the meeting

Officers presented the report and advised Panel that an agreement had been reached with the applicant that of the £568,000 planning contribution to be made, £100,000 would be set aside to assist in the delivery of a bridge over the canal

On the suggestion made at the last meeting that the scheme could be financially re-appraised at each phase, the applicant had been unable to agree to this but had agreed to a re-appraisal after the development was 85% occupied, with Officers recommending this be accepted by Panel

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and the completion of a Section 106 Agreement to cover the following:

- Contribution of £568,000 to be spent on affordable housing, education, public transport and/or public realm improvements as considered appropriate with £100,000 set aside to assist in the delivery of a bridge over the canal
- 30 units in phase one provided as assisted purchase units
- If the development is not implemented within 18 months of approval the scheme is to be financially re-appraised at the time of implementation and if viable, a further affordable housing contribution shall be provided in accordance with the level of viability and affordable housing policy at that time
- An assessment of profit at 85% occupation. If the developer's profit exceeds 25% an additional housing contribution of 50% of the excess profits will be made up to the level required by the affordable housing policy at that time
- Landing area for the canal footbridge
- Travel plan measures and monitoring fee of £5,125
- Car club contribution of £21,500
- Local employment and training clause
- Public access to public open space

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

122 Application 12/01715/FU - Erection of a supermarket and associated infrastructure, car parking provision for 265 vehicles and petrol filling station - Land off Sandbeck Lane Wetherby LS22

Having declared a disclosable pecuniary interest in this matter, Councillor Nash withdrew from the meeting

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which related to an application for a supermarket with associated infrastructure, car parking and petrol filling station on land off Sandbeck Lane Wetherby LS22, a site which was surrounded by a range of uses, these being agricultural, industrial and residential as well as being in close proximity to the A1

Members were informed that the site was allocated for employment use in the UDPR and that there was an extant outline permission for this use

The proposals were for a 24 hour Asda supermarket which would offer 70% convenience goods and 30% comparison goods. On-site car parking for 265 cars was proposed together with a petrol filling station. An in-store café

would be provided and an ATM. In terms of job creation, the scheme would provide 200 full-time jobs

In respect of public transport to the site, the applicant would fund the diversion of the X70 into the site for a period of five years, although this diversion would not run on an evening or on Sundays

The realignment of an existing bridleway would be required and there would be some loss of trees, although there was the potential for replacement planting

Attention was drawn to the context of the site in relation to Wetherby Town Centre and the retail offer which currently existed in the town. Members were informed that the Morrisons supermarket was the main food retailer in the town centre; that planning permission had been granted for an extension to that store and that it acted as a focal point and anchor for the town

In terms of retail policy, Members were informed that the NPPF directed the proposed foodstore to main retail centres first and then to smaller centres. The Council's independent retail consultant had considered the impact of the proposed Asda store and had assessed that there would be a 30% diversion of trade from the Morrisons store, if extended; 23% diversion of trade from Wetherby Town Centre and 21% diversion of trade from the overall catchment area, with Panel being informed that this should be given significant weight when considering the application. The remoteness of the site from Wetherby Town Centre at 1.2km away was also a factor; it was not an attractive walk from the site to the town and therefore it was unlikely to generate linked trips from the Asda store to the businesses and shops in Wetherby Town Centre

A revised travel plan had been recently submitted by the applicant but Officers had not been able to fully consider this. Members were informed that they might wish to allow time for this to be looked at in detail or might wish to determine the application on what had been previously submitted

Members were informed that there was considerable support for the scheme, particularly the jobs which would be created and the increased choice a new supermarket would provide, however there was also considerable opposition to the proposals. Having considered the application, Officers were of the view that it would have a significant adverse impact on the retail vitality of Wetherby Town Centre; that accessibility was poor and because of that would likely become a car borne destination and were recommending to Panel that the application be refused

If minded to accept the recommendation to refuse the application, Members were advised of a slight rewording of the first reason for refusal to acknowledge the likely negative impact of the proposals on planned investment in Wetherby Town Centre

Three further representations were reported, although it was stated that these did not raise any new issues

In view of the level of representations received, the Chair on this occasion allowed a period of up to 6 minutes per side for speakers to address the Panel

Members commented on the following matters:

- the level of overtrading by Morrisons in Wetherby
- that the proposals offered greater retail choice for local residents

- public transport to the site
- the design of the car parking in the scheme
- whether Officers were satisfied on the size, design and scale of the proposals
- future housing proposals in the area
- that the proposals were contrary to planning guidance
- that the proposals would not lead to linked trips and would deny trade to businesses in the town centre
- the difficulty in regenerating Wetherby Town Centre if it lost its current vitality and viability
- the possibility of another supermarket in this area being needed in the future but not necessarily at this time

The following responses were provided:

- that the level of overtrading by Morrisons would balance out if the Asda store was granted planning permission, however the implications of this had to be considered in respect of Wetherby Town Centre as a whole and it was felt that the Asda proposals would have a serious adverse impact on other town centre businesses overall, particularly in respect of the potential level of linked trips between town centre businesses
- that the X70 bus route would be reconfigured to take in the new store, however Metro was of the view that this would not be sustainable after the 5 year period of funding by the applicant
- that there were no concerns about the design, car parking proposals, size and scale of the supermarket
- that the housing site allocations considered by Executive Board had proposed housing in Wetherby and Thorp Arch but that this was at an early stage and in terms of outstanding housing proposals, there was the site at Spofforth Hill which Panel had received a pre-application presentation on at its meeting on 11th April 2013

Members considered how to proceed

RESOLVED - That the application be refused for the following reasons:

1 The Local Planning Authority considers that the proposed retail store which would be located in an out-of-centre location, together with the absence of linked trips and lack of integration to the town centre, would likely to have a significant adverse impact on the vitality and viability of Wetherby town centre and is likely to have a negative impact on planned investment in Wetherby town centre. The proposal is considered to be contrary to Policy S5 of the Unitary Development Plan Review (2006), the guidance contained within the National Planning Policy Framework and emerging Policies P5 and P8 of the Draft Core Strategy Leeds Local Development Framework

2 The Local Planning Authority considers that by virtue of the site's location, poor access to public transport services and with limited scope for walking trips, the movements to and from the proposed retail

store will be dominated by trips by the private car, contrary to Strategic Aim SA2 and Policy T2 of the Unitary Development Plans Review (2006), the guidance contained within the National Planning Policy Framework and emerging Policy T2 of the Draft Core Strategy Leeds Local Development Framework

3 The Local Planning Authority considers that the submitted Travel Plan is unacceptable as regards site assessment and audit, measures/actions, mode splits and targets, role of Travel Plan Co-ordinator and the form, timing and length of monitoring. As such, the proposal is considered detrimental to the aims and objectives of sustainable transport, contrary to Strategic Aim SA2 and Policies GP5 and T2c of the Unitary Development Plan Review (2006), the Supplementary Planning Document 'Travel Plans' and the National Planning Policy Framework and emerging Policy T2 of the Draft Core Strategy Leeds Local Development Framework

Following consideration of this matter, Councillor Nash resumed her seat in the meeting

123 Application 12/03400/OT - Outline application for residential development - Land at Royds Lane Rothwell LS26

Members considered the first of two reports of the Chief Planning Officer on applications for outline planning permission for residential development on Protected Area of Search (PAS) land in the Rothwell Ward

Although each application would need to be determined on its own merits, each raised similar planning issues. To provide some background to the applications Members received a presentation from David Newbury, Area Planning Manager

Members were informed that both sites were designated as PAS sites in the UDPR and as such were safeguarded for development in the future. As these applications were likely to be the forerunner for other developments coming forward, these were of strategic importance

Planning permission had been refused for development on the sites in 2009 with appeals being refused by the Inspector on grounds relating to housing land supply and accessibility and sustainability. This decision was a forerunner for the loss of 10 appeals by the Council on Phase 2 and 3 greenfield sites. Although these sites differed as they were PAS sites, the wider context of the need to deliver large housing numbers across the city had to be considered

The new planning guidance, the NPPF, placed an urgency on the delivery of housing and to address this situation, Executive Board had approved an interim planning policy to help manage the release of sites and enable the Council to have some control over this

The key factors in the applications before Panel were housing land supply and sustainability. The need to demonstrate a 5 year land supply was set out in national planning guidance. Whilst Leeds City Council considered it did have this level, unless this could be demonstrated it would be difficult to

resist the release of some of these sites. In calculating the 5 year land supply a quantum of PAS sites had been allowed but individual sites had not been identified. If a PAS site was felt to meet the interim policy, it would contribute to the 5 year supply, which would help resist development on Greenfield sites

In terms of sustainability, in 2009, the Inspector had concluded these two sites were not sustainable and there had been no significant change in circumstances regarding accessibility to and from the sites. However, the policy context had changed and the Council had taken the decision to release Phase 2 and 3 Greenfield sites, together with selective PAS sites

On both applications there was the possibility of using the affordable housing contribution to provide much needed extra care accommodation in Rothwell and this accorded with a report considered by Executive Board about new ways of providing this facility, with S106 Agreements being part of this

The Panel then considered the application

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought outline permission for the principle only of residential development on a 3.7ha Greenfield site located on the fringe of Rothwell, bounded by housing and recreation land and within reasonable walking distance from Rothwell Town Centre which hosted a good range of facilities

An indicative layout plan for 90 houses was shown, with Members being informed that the layout could be improved as could the position of the public open space on the site to provide homes which would meet design guidelines. In the event that extra care accommodation could not be achieved off-site, affordable housing at a level of 15% would be provided

If minded to approve the application, additional conditions were proposed which related to the delivery of the travel plan; further site investigations in relation to coal on the site and to limit the number of dwellings on the site not to exceed 90

Paragraph 7.18 of the submitted report was included in error and should not be considered in assessing the proposals. The walking distances to the nearby primary schools were also clarified

Reference was made to the supplementary report which detailed the further representations which had been received. The level of individual representations from the Rothwell Neighbourhood Forum was reported as being 69, but that it was felt that the additional representations did not raise significant new points

The Panel then heard representations from objectors and the applicant's representative. The Chair on this occasion allowed a period of up to 6 minutes for both parties to address the Panel

Members discussed the application and commented on the following matters:

- that further information should have been provided to Plans Panel Members on the new interim housing delivery policy

- that planning permission had been refused in 2009 and that a clear explanation of what had changed since then was required
- the year 2016 referred to by a speaker and the relevance of this
- the position of Neighbourhood Plans in being able to refuse development which a community does not wish to see
- that a precedent would be set for PAS land if planning permission was granted on this site
- flooding and drainage issues which had been raised by an objector and whether the site was suitable for the proposed development
- how the local community could be reassured over the selection process for the two sites being considered
- that the issues of sustainability and accessibility raised by the Inspector in 2009 appeared still to be relevant but that less weight was being given to these issues and the reasons for this
- the level of planning contributions; that these often failed to fully match the needs of the area and whether this would be the case for the extra care accommodation being considered
- whether the 90 dwellings from this site would make much difference to the city's 5 year land supply

The following responses were provided:

- that the interim policy would be considered at the next Joint Plans Panel meeting but that these applications required determination at this time
- that in 2009 when planning permission was sought on the site, the policy regime was different; then it had been PPS3, now it was the NPPF and this placed a greater emphasis on the delivery of housing and on having a 5 year supply, plus 5%. Where a 5 year land supply cannot be demonstrated there is a presumption in favour of the development. In 2009 the Council had the Phase 2 and 3 Greenfield sites to release but these had now gone. This was the biggest change but what had not changed and had possibly worsened slightly was accessibility to and from the site. However, sites now had to be assessed in the broader context of the NPPF. The Chief Planning Officer explained further and stated that the current government had placed housing delivery at the centre of economic recovery, placing less emphasis on sustainability. The interim policy had been brought in by the Executive Board to manage the situation and in any event, towards the end of the 5 year period, some PAS sites would have come forward for development

- the reference to 2016 was in relation to the end date of the UDP Review
- that the evidence from appeal decisions indicated that the preparation of a Neighbourhood Plan was not of itself a reason for refusal of an application
- In terms of precedent, that part of the Executive Board's decision was about not setting a precedent for all PAS sites but only for those which fulfilled the criteria set by the Executive Board, safeguarding other PAS sites for consideration through the Site Allocations process
- Concerning flooding and drainage, that Flood Risk Management, Yorkshire Water and the Environment Agency had been consulted on the proposals and no objections had been raised, subject to the submission of appropriate drainage measures and flood risk management measures
- that in relation to the issue of accessibility, the balance of consideration had changed due to the NPPF and that housing land supply and marketability of a site were strong factors over other matters
- that the developer contribution which could be used for extra care accommodation would not be enough to pay for the whole scheme but it would lessen the burden on the Council although this option would need to be worked up further, with details being brought back to Panel
- that all residential development, however small in number contributed to the housing levels the city had to achieve

Members further discussed the proposal with the following comments being made:

- that consultation on site allocations had been extensive, lengthy and detailed and that all Ward Members had had to accept difficult targets
- that although the timing of applications might be difficult, the Council was not in control of the process of submitting planning applications and had to be mindful of the timescales for dealing with them to avoid appeals being lodged against non-determination
- that the Council did not wish to build on Greenfield sites but national planning policy did not support that and the decision taken by Executive Board to introduce an interim policy was a way to set some criteria to best deal with the situation it faced
- that these sites were not being considered because they were at the top of a list of sites, but because applications had been lodged for them which had to be determined, and that Panel had deferred determination of them in April in order to give local people the opportunity to comment

- that this site did relate well to the settlement around it, that it was not a large development which was being proposed and that it would square off the land and regularise the boundary
- the need for Ward Members to be consulted on the S106 Agreement and to ensure that whether extra care accommodation or affordable housing was provided, the contribution should not be less for either use
- that the method used to consider the S106 Agreement on the Whitehall Road /Globe Road site should be adopted for this site
- that there were many brownfield sites, particularly in the City and Hunslet Ward where development was not progressing and that this should be followed up

RESOLVED – To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, plus additional conditions relating to the delivery of the travel plan; further site investigations in relation to coal on the site and to limit the number of dwellings on the site not to exceed 90 and the drawing up of a Section 106 Agreement to cover those issues set out in the submitted report and in consultation with Ward Members and subject to a further report being submitted to Panel for consideration of the Section 106 Agreement prior to the determination of the application

124 Application 12/03401/OT - Outline application for residential development - Land at Fleet Lane Oulton LS26

Prior to consideration of this matter, Councillors G Latty and R Procter left the meeting

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which sought outline planning permission for the principle only of residential development on a 3.45ha PAS site on the edge of Oulton, bordered by Oulton Conservation Area and bounded on three sides by residential properties and open farm land on the fourth side which formed part of the Green Belt

An illustrative layout was shown which indicated about 80 properties on site, mainly semi-detached dwellings but with some terraced properties and a large area of public open space which also served to mitigate against possible flooding issues. Extra care housing provision was also being considered on this site in lieu of affordable housing

If minded to approve the application, further conditions were proposed relating to the delivery of a travel plan, limiting the number of dwellings to no more than 80 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels

Reference was made to the supplementary report which detailed the further representations which had been received. The level of individual representations from the Oulton and Woodlesford Neighbourhood Forum was

reported as being 22, but that it was felt that the additional representations did not raise significant new points

The Panel then heard representations from objectors and the applicant's representative. The Chair on this occasion allowed a period of up to 4 minutes for both parties to address the Panel

Members discussed the application and commented on the following matters:

- whether any flats were being included on the site
- that the developer would have been mindful of the timescales of Council discussions about housing land supply and that a precedent would be set by approving the application
- affordable housing and that having fought for many years to achieve on-site affordable housing on developments, there appeared to be a move to accepting a commuted sum and that whilst extra care housing would be beneficial to the community, the developers were not providing anything additional in terms of contributions
- that it would be for Panel to decide about affordable housing provision but that a review had shown that there was a great need for extra care housing in this area
- the need for Ward Members to be consulted on the content of the S106 Agreement and for Panel to consider the package being proposed

RESOLVED – To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, plus additional conditions relating to the delivery of a travel plan, limiting the number of dwellings to no more than 80 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels and the drawing up of a Section 106 Agreement to cover those issues set out in the submitted report and consultation with Ward Members and subject to a further report being submitted to Panel for consideration of the Section 106 Agreement prior to the determination of the application

125 Preapps/10/00302 and 10/00303 - Leeds (River Aire) Flood Alleviation Scheme - Leeds Station to Knotstrop Weir - Pre-application presentation

Further to minute 59 of the City Plans Panel meeting held on 17th January 2013, where Panel approved in principle applications which would implement the first phase of the city's Flood Alleviation Scheme (FAS), Members considered pre-application proposals for the FAS from Leeds Station to Knotstrop Weir. Members considered a report of the Chief Planning Officer and received a presentation on the proposals by the applicant's consultants

Members were informed of the extent of the protection which would be from the railway station in the city centre to Thwaites Mill and at Woodlesford and Holbeck

The scheme would combine walls, riverside walls, landscaping and modifications to existing buildings to make them watertight, with the proposals being guided by the Design Vision and Guide

There would be approximately 2km of linear defences, with 1200m being in the city centre. The majority of the defences were below 1.2m in height and this was seen as a key benefit

At Holbeck, the intention was to retain the open aspect of the area and provide a wall where there were currently railings

At the Asda site, there would be approximately 600mm high walls and a small city park would be incorporated opposite the city arches

Navigation Walk was a sensitive area and 1.1m high walls were being considered at this location; these being a glazed flood wall, something which was being increasingly used to provide a defence whilst maintaining connectivity to the waterfront

At Roberts Wharf, local ground levels would be raised whilst ensuring this was DDA compliant

At Knostrop Cut, there would be the removal of a 600m length of Knostrop Cut to merge the canal and river. By doing this, the extent and height of the linear defences needed would be reduced. A section of the Transpennine Trail would need to be realigned but this would provide an opportunity to create a biodiverse area on the left bank

At Woodlesford, a 1 – 1.3m high grassed embankment was proposed

In terms of materials and finishes the approach was to design a flood wall specifically for its location so a range of materials such as sandstone paving, resin-bonded gravel and tegular block paving was proposed. Where brick was used this would reflect the colour of existing brickwork and would be enhanced by glazing and glass inserts. Wherever possible existing materials would be retained and reused. The change of character beyond Rose Wharf to a more rural setting would also be reflected in the materials selected with resin-bonded natural stone and earth banks being envisaged

Members commented on the following matters:

- whether the works at Woodlesford would complement the works needed for HS2
- that whilst less intrusive defences were welcomed, there was concern that some of these were too low and that river safety had to be considered
- concern about the removal of part of Knostrop Cut and whether this would have an impact on the navigability of the river
- that water turbines should be provided rather than Archimedes' screw

The following responses were provided:

- that proposals for HS2 had only recently been put forward and would take some time to be delivered; that the defences at Woodlesford were the first to be provided and that HS2 would need to respect what was in place
- that safety had been considered and low guard rails would also be provided
- that navigation of the river would not be affected by the removal of part of Knostrop Cut as capacity was not being built but conveyance was, i.e. how quickly water reached the city

- that Archimedes' screw was proposed as it was the most economic solution

The Chair stated that a site visit by boat should be arranged when the applications were ready for determination, in order to properly understand and appreciate the proposals

Members welcomed the scheme, particularly the use of a range of materials which respected and enhanced the riverside, although the need for good finishes to be achieved was stressed

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

During consideration of this matter, Councillors Leadley and Hardy left the meeting

126 Preapp/13/00223 - Outline proposal for 3 office buildings, multi-storey car park and pavilion unit with ground floor food, drink and gym uses and public realm - Whitehall Riverside Whitehall Road Lower Wortley LS12 - Pre-application presentation

Plans, photographs and graphics were displayed at the meeting

Members considered a report of the Chief Planning Officer on pre-application proposals for an office-led development with multi-storey car park, pavilion unit with ground floor food, drink and gym uses and public realm on land at Whitehall Riverside, Whitehall Road, and received a presentation on behalf of the developer

Members were informed that a previous approval for the site had been granted for office, residential and a multi-storey car park. The proposals were to refresh the outline approval, particularly in light of the current strong market for office space of 20,000sqm and above

Strategically, the site was an important one and this was recognised by the three pedestrian routes through the site which would connect to the river and over the proposed footbridge to Holbeck Urban Village, the Southern Station entrance and beyond

Active frontages would be provided along Whitehall Road and at the corners of buildings. To increase the level of activity and animation on the site, glazed lifts were proposed

The vehicular strategy would re-use existing openings to provide an in/out access and shared surface area. A new, separate cycle lane would be created

The scheme provided an opportunity to create a boulevard along Whitehall Road and two garden spaces would be provided in the scheme. A pavilion building, envisaged as a café would also be provided

In response to the points raised in the report for Members' consideration the following responses were provided:

- that Members agreed that the proposed uses for the site were appropriate
- that Members agreed that the general siting of the buildings, provision of public realm, balance of hard and soft landscaping and location of future pedestrian routes would be appropriate to

create a sense of place to the Waterfront and Whitehall Road and ensure pedestrian connections linking across the site from the riverside to the rest of the Prime Office Quarter via Wellington Place to the north. The Head of Planning Services stated there was a need to consider how the corridors worked in respect of wind

- that in terms of heights of buildings, the Chief Planning Officer suggested that further consideration be given to this, particularly the height relationship to buildings on the other side of the road

Members welcomed the renewed interest in office development in this location

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

During consideration of this matter, Councillor J McKenna left the meeting

127 Preapp/12/00494 - Proposed student accommodation buildings and new external space - Land between Belgrave Street and St Alban's Place LS2 - Pre-application presentation

Prior to consideration of this matter, Councillor S Hamilton left the meeting

Plans, graphics and photographs were displayed at the meeting. A Members site visit had taken place earlier in the day

Members considered a report of the Chief Planning Officer on pre-application proposals for student accommodation and new external space on land between Belgrave Street and St Alban's Place, which was situated within a Prestige Development Area; with the majority of the site being identified as protected public space in the UDPR. Members also received a presentation on behalf of the developer

Members were informed initially about the landscaping proposals for the scheme. Whilst the amount of public space would be reduced and existing landscaping would be removed, a considerable planting scheme, to include significant planting levels of mature trees was proposed. The existing space which was not well used currently would be reshaped, replanted and seating provided

The site would be well connected to the surrounding area with two primary pedestrian routes existing through the site, with some widening of footpaths being proposed

In terms of the buildings, three buildings were proposed which would provide a total of 300 student bedrooms in a mix of clusters sizes together with a café, gym and small commercial unit

The proposed materials were a mixed brick palette which would provide a blend of colours, glazing and copper feature elements on the gable ends. The Chair again raised the issue about the colour reproduction of the graphics being seen by Members, as these were not accurate

In response to the points raised in the report for Members' consideration the following responses were provided:

- that Members agreed the proposed location of the site for student accommodation. The issue was raised that in view of other likely city centre student accommodation proposals, whether there should be a policy which set a cap on the amount of student accommodation in the city centre, or whether there was a mix of uses which could be considered to be appropriate, with Officers being asked to provide information to Panel Members on this. The Chief Planning Officer advised Panel that work was being carried out on this
- that any development proposals needed to fully mitigate for building on protected open space and for the loss of trees. Concerns were raised about the loss of green space and whilst a quantitative improvement to the existing space was required, there should also be replacement open space provided elsewhere, (e.g. in upgrading New Briggate in front of the Grand Theatre), with concerns where that could be sited. A plan which showed a gain to the wider area was requested
- that Members agreed that existing pedestrian routes both within and around the site which connect with the city and surrounding areas need to be improved as part of the development and that levels need to enable access for all users
- regarding scale and massing, there were some concerns raised about the height of the buildings and that this was a gateway site and that buildings of exceptional quality and design were required in this location
- in terms of materials, some concerns were raised about the use of brick which was regarded as being reminiscent of development in the city in the 1980s – 90s; that the elevations appeared bland; that there were large expansions of wall and that the windows gave the buildings a monolithic appearance The Chair reiterated the need for top quality materials and design for the site and stated that more work was needed on this
- that the general arrangement of proposed uses were appropriate to the site's location and future uses, with the possibility being suggested by Panel of the accommodation being used by visitors out of term time
- that Members agreed to the removal of the pay and display spaces and for the need to provide a strategy for the management of student vehicles at changeover times

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

128 Preapp/13/00074 - Proposals for change of use of retail and restaurant units to office, restaurant, bar and leisure uses including addition of

mezzanines and external alterations - New Dock, Armouries Way Hunslet LS10

Further to minute 12 of the City Plans Panel meeting held on 5th July 2012, where emerging proposals for New Dock (formerly Clarence Dock), South Bank were presented, Members considered a further report of the Chief Planning Officer and received a presentation on behalf of the developer Plans, photographs and graphics were displayed at the meeting

Members were informed of the latest thinking to revitalise the area which would include providing new work space/office accommodation; convenience shopping for residents, workers and visitors to the site; restaurants, particularly at waterside locations to maximise the benefits of this feature, the creation of a venue space to hold a range of events, exhibitions and art installations; new signage and extensive new public realm, with a series of planning applications being submitted in due course for these elements

The work space element would see the conversion of approximately one third of the existing retail units to office accommodation which would provide contemporary interiors in an unconventional office layout

My Street, the convenience shopping element would also provide permanent, themed gardens which would enable residents and visitors to enjoy new outdoor spaces. In terms of landscaping, the existing trees would be retained but further landscaping would be provided to create a boulevard

The Restaurant Boardwalk would see existing retail units being converted to form 5 family restaurants, some with permanent outdoor covered terraces. A new route through would be created to better link the development to its wider surroundings

The old marketing suite would be refurbished to create a focal point, with Members being shown the first draft of design proposals for this, to indicate the thinking for this building

The new leisure venue would provide a 9,000 sq ft space which would hold events year round

In response to the points raised in the report for Members' consideration the following responses were provided:

- that Members agreed that the proposed range of uses for the site were appropriate in principle
- that Members agreed that the package of proposed refurbishment and public realm works would help to promote New Dock as a destination in its own right and generate activity that would create a catalyst that would be complementary to the South Bank and City Centre Park initiatives. Members welcomed the interesting proposals and stressed the need for good pedestrian links being created to the city centre. In terms of the vision for the marketing suite, concerns were raised about this, with Panel being informed that this was work in progress

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

Following consideration of this matter, Councillor P Gruen left the meeting

129 Preapp/13/0040 - Proposed alterations and change of use - Rivers House 21 Park Square South LS1 - Introductory report

Members received a report of the Chief Planning Officer introducing pre-application proposals for a change of use and alterations to Rivers House, Park Square LS1. It was noted that the detailed report had been classed as exempt under Access to Information Procedure Rule 10.4(3)

RESOLVED - To note the report

130 Preapp/13/00400 - Proposed alterations and change of use of Rivers House 21 Park Square South Leeds LS1 - Pre-application presentation

With reference to minute 129 above, Panel considered a report deemed as exempt under Access to Information Procedure Rule 10.4(3), which set out emerging proposals for Rivers House, 21 Park Square South LS1, which was situated in the City Centre Conservation Area and was surrounded by listed buildings

Members considered a report of the Chief Planning Officer outlining the proposals and received a presentation on the scheme by the developer

Details of the proposed alterations were outlined, which included remodelling the internal space to provide a range of offices and hub space for visitors. Members were informed that although externally the building was impressive, internally there was little to commend it apart from the generous sized windows and some art deco stair cases

The mansard roof which had been a later addition to the building was proposed to be removed and replaced with a glass roof which would also provide an outside courtyard café and roof top garden

In response to the points raised in the report for Members' consideration the following responses were provided:

- that the proposed use of Rivers House for the use set out in the submitted report was appropriate and acceptable, with Members welcoming the potential boost to the local economy this could provide
- that Members agreed that the design proposals were acceptable in principle and that when brought back for determination, that detailed studies of the proposed roof form, including visualisations and appropriately scaled samples were available for Members' consideration. The opportunity to include photo-voltaic cells on the roof was raised. The need for a quality scheme, particularly in terms of the roof, in this sensitive location was stressed

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

131 Date and Time of Next Meeting

Draft minutes to be approved at the meeting
to be held on Thursday, 6th June, 2013

Thursday 6th June 2013 at 1.30pm in the Civic Hall, Leeds

Draft minutes to be approved at the meeting
to be held on Thursday, 6th June, 2013



Originator: Shameem Hussain

Tel: 0113 2478024

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6th June 2013

Subject: Application 12/03400/OT - Outline application for residential development on land at Royds Lane, Rothwell

APPLICANT	DATE VALID	TARGET DATE
Hallam Land Management Ltd. DW Wilson and trustees of the Thurcaston Park Trust	06.08.2012	05.05.2012

Electoral Wards Affected:

Rothwell

Yes

Ward Members consulted (referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Following the resolution of the City Plans Panel of 9th May 2013 to approve the principle of this residential development subject to the conditions set out in that report to City Plans Panel, plus additional conditions relating to the delivery of a Travel Plan, limiting the number of dwellings to no more than 80 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels and subject to the completion of the Section 106 Agreement to cover the following matters this report sets out a summary of the terms of a draft Sec.106 Agreement for Members consideration.

DEFER AND DELEGATE to the Chief Planning Officer the completion of the Section 106 Agreement (in consultation with Ward Members) to cover the matters referred to below and the subsequent issuing of the planning permission:

- Provision of 15% affordable provision on site OR as a commuted sum of £1.18 million towards provision of affordable extra care provision off site.
- Greenspace contribution of £96,297.09
- Public Transport Infrastructure £110339
- Travel Plan Management Fee £2,500
- Residential Metrocard scheme £38,728.80
- Education contribution £428.743

- Local training and employment initiatives during the construction of development
- Off site highway works

All the financial contributions are index linked. 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 BACKGROUND

- 1.1 Outline application 12/03400/OT that sought approval for the principle of a development of 90 dwellings at this site was presented to Members at City Plans Panel on the 9th May 2013. Members resolved the following:-

“ To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, plus additional conditions relating to the delivery of a Travel Plan, limiting the number of dwellings to no more than 90 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels and the drawing up of a Section 106 Agreement to cover those issues set out in the submitted report and consultation with Ward Members and subject to a further report being submitted to Panel for consideration of the Section 106 Agreement”

- 1.2 This report is presented to City Plans Panel for the consideration of the terms of the draft Section 106 Agreement.

2.0 DRAFT SECTION 106 AGREEMENT

- 2.1 The Community Infrastructure Levy Regulations 2010 set out legal tests for the imposition of planning obligations. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 2.2 The applicant has submitted a draft Section 106 Agreement and this is currently under negotiation. The submitted draft Section 106 consists of the following:-

- 15% affordable housing provision on site
- Off site greenspace contribution of £96,297.09
- Scheme for the construction and maintenance of the on-site greenspace area
- Education contribution of £428,743 (Primary £267,509 & Secondary £161,234)
- Public Transport Infrastructure £110,339
- Compliance with and implementation of Travel Plan Management Fee £2,500
- Residential Metrocard scheme £38,728.80 or as otherwise agreed

- Local training and employment initiatives during the construction of the development.

2.3 The financial contributions set out above meet the council's full planning policy requirements and are unchanged from those reported to the May City Plans Panel. The draft Section 106 does not include clauses relating to the provision of a commuted sum for the provision of extra care accommodation and off site highway works. With regard to the latter discussions are ongoing about the extent and precise nature of the works. As such both of these issues are subject of ongoing discussions and negotiations. A summary of the terms of the draft Sec.106 Agreement as submitted are set out below:

Affordable Housing

2.4 The draft Agreement includes clauses that require (15%) 14 units be provided on site comprising 7 social rented units and 7 sub-market intermediate affordable units. That the affordable units be disposed to a Housing Association and that the location, type and mix of the affordable units be submitted to and approved by the council.

2.5 Members will recall that at the May City Plans Panel it was reported that negotiations were ongoing in respect of the provision of extra care accommodation in the locality in lieu of the on site affordable housing provision and that this would be in the form of a commuted sum. As a result of those negotiations, the applicant has proposed a commuted sum of £1.18 million for the provision of extra care accommodation in lieu of the onsite affordable housing provision. However, the applicant does want to maintain a degree of flexibility in that the Sec.106 Agreement will be worded to allow either the payment of a commuted sum or the provision of affordable housing on site. This is so the progression of the development will not be delayed unduly by an uncertainties that may exist with the delivery of extra care accommodation. If Members were to support a commuted sum as the preferred option officers would continue to actively explore a delivery route. This would include a procurement process to select a Registered Provider and following that decisions would be taken in respect of the form and timing of the delivery of affordable extra care accommodation.

(i) Background to Extra Care Provision:

2.6 A report on elderly care provision was presented to Executive Board on 15th February 2013. A joint report from Adult Social Services, City Development and Environment and Neighbourhoods seeking approval for the implementation of a holistic city wide approach to increase and improve the range of accommodation for older people available in Leeds. The report outlined a co-ordinated programme of activity which had been developed across the Directorates of City Development, Adult Social services and Environments and Neighbourhoods. Outlining the principles of looking at new ways of supporting the provision of Extra Care Housing. It identifies where the gaps are in the provision for extra care housing, and how this provision can be delivered by working with other sections of the Council. This includes the provision being delivered through the S106 mechanism. The ward of Rothwell was identified in the report as being an area to be a priority for investment. The report also set out that it was proposed to bring forward immediately available land in its ownership for disposal for the development of extra care accommodation and one of the potential sites identified was Windlesford Green in Rothwell.

2.7 Executive Board resolved :-

- “(a) *That the requirements for specialist accommodation for older people be noted.*
- (b) *That support be given to the approach to investment outlined within sections 3.3 – 3.98 of the submitted report which includes delivery through working with housing associations and independent providers, bidding for external funding support and some direct investment in new build housing.*
- (c) *That the principle of the Council disposing of the sites (subject to consultation where necessary)listed at Appendix of the submitted report (sections 1.5, 2.4 and 3.4) for extra care accommodation be agreed, with a further approval being sought from Executive Board for a less than best disposal, should this be required following marketing.*
- (d) *That the release of sites at Appendix 1 and Appendix 2 (section 3.5) of the submitted report be agreed(subject to consultation where necessary) for the purpose of disposal on the open market , with the Board noting the potential to ring fence the receipts to support the delivery of this programme and the requirement for separate Executive Board Approval “*

- 2.8 Extra Care Housing differs from other types of older people’s accommodation and can be broadly defined as providing the opportunity for older people with a range of support needs (such as with personal care, meals, cleaning and the taking of medication) to live in their own home, with their own front door, in a safe and secure environment within a community setting. There are generally communal facilities such as activity rooms, dining rooms/restaurants within Extra Care, but these vary depending on what services are already available within the local community. 24 hour emergency access to care and support, usually provided by on-site staff, is a key feature of Extra Care Housing. This level of care and support can be supplemented in response to an individual tenant’s level of assessed need. This allows people to maintain their independence and quality of life for longer and for many older people it offers an alternative choice to residential care.
- 2.9 A detailed demand analysis exercise has been carried out in Leeds, using 2011 census data to identify the quantity and type of older peoples housing required across the city. Indications are that the city needs to develop 879 units of Extra Care accommodation over the period to 2020. The Rothwell ward is estimated to have a current shortfall in the provision of Extra Care Housing amounting to 44 units. Given that Extra Care Housing schemes are relatively expensive in terms of build cost per unit and many of the schemes to date have been developed with high proportions of units for social rent and in areas with low property values subsidy funding has been an essential contribution to the growth of the Extra Care Housing stock. Through the use of the Sec.106 Agreement an opportunity exists to make a valuable contribution to meeting a specific local need.
- 2.10 It is likely that the monies will be used to deliver and secure affordable accommodation via a Registered Provider with the city council retaining a 50% or higher nomination rights. Normally nominations would be based on care assessments undertaken by social workers taking into account the care needs of individuals and the suitability of their existing housing (including whether it can be suitably adapted). The scheme manager would ultimately make the final decision as to who to allocate the accommodation to and this will be based on an assessment that the appropriate level of care can be provided to the potential occupiers.

- 2.11 That the contribution is paid on a phased basis and that 3 payments of £89,170.00 are made to the council. The first payment being paid within 6 months of the commencement of development, the second prior to the occupation of 50% of the dwellings and the final payment prior to the occupation of 75% of the dwellings.

Secondary Education

- 2.12 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £53,745.00

Greenspace Areas

- 2.13 That prior to the commencement of development details of a scheme for the construction and maintenance of the Greenspace Area be submitted to and approved by the council. This is required to include details of planting plans and specifications, a programme relating to timescales for implementation and a future maintenance plan. The maintenance shall either be carried out by the owner of the land or by a management company.

Off-site Greenspace contribution

- 2.14 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £32,099.03

Public Transport Improvements Contribution

- 2.15 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £36,780.00

Residential Metrocard Scheme

- 2.16 Again a phased payment would be made on the same basis as described in 2.8 but with 3 payments of £19,364.40

Travel Plan

- 2.17 That reasonable endeavours be used to implement and comply with the terms of the Travel Plan prior to the occupation of the first dwelling. A Travel Plan co-ordinator shall be appointed. The Travel Plan shall be subject to review with the council and any reasonable recommendations made shall be implemented. The developer shall pay to the council a travel plan monitoring fee of £2,500 prior to the first occupation of the first dwelling.

Training & Employment Initiatives

- 2.18 That reasonable endeavours be used to co-operate and work closely with Employment Leeds to develop an Employment and Training Scheme to promote employment opportunities for local people during the construction works. Such a plan would include:

- The employment of local contractors and sub-contractors and local people in construction works;
- Consult with Employment Leeds with a view to identifying procedures to facilitate the appointment of such persons.

- Prior to the commencement of construction works to agree a method statement with Employment Leeds to facilitate the appointment of such persons.
- To work with Employment Leeds and agree a method statement identifying the number and types of employment and training opportunities that can be accessed by local people.
- To provide Employment Leeds on a 6 monthly basis details of the recruitment and retention of local people as employees.
- To provide Employment Leeds with details of any vacancies that arises during construction.

2.19 For the purposes of the Agreement local people means someone whose principal place of residence is within the electoral ward or adjoining wards in which the development site is located. Or if no such persons can be found persons whose principal place of residence is within the Leeds administrative boundary.

3.0 COMMENT

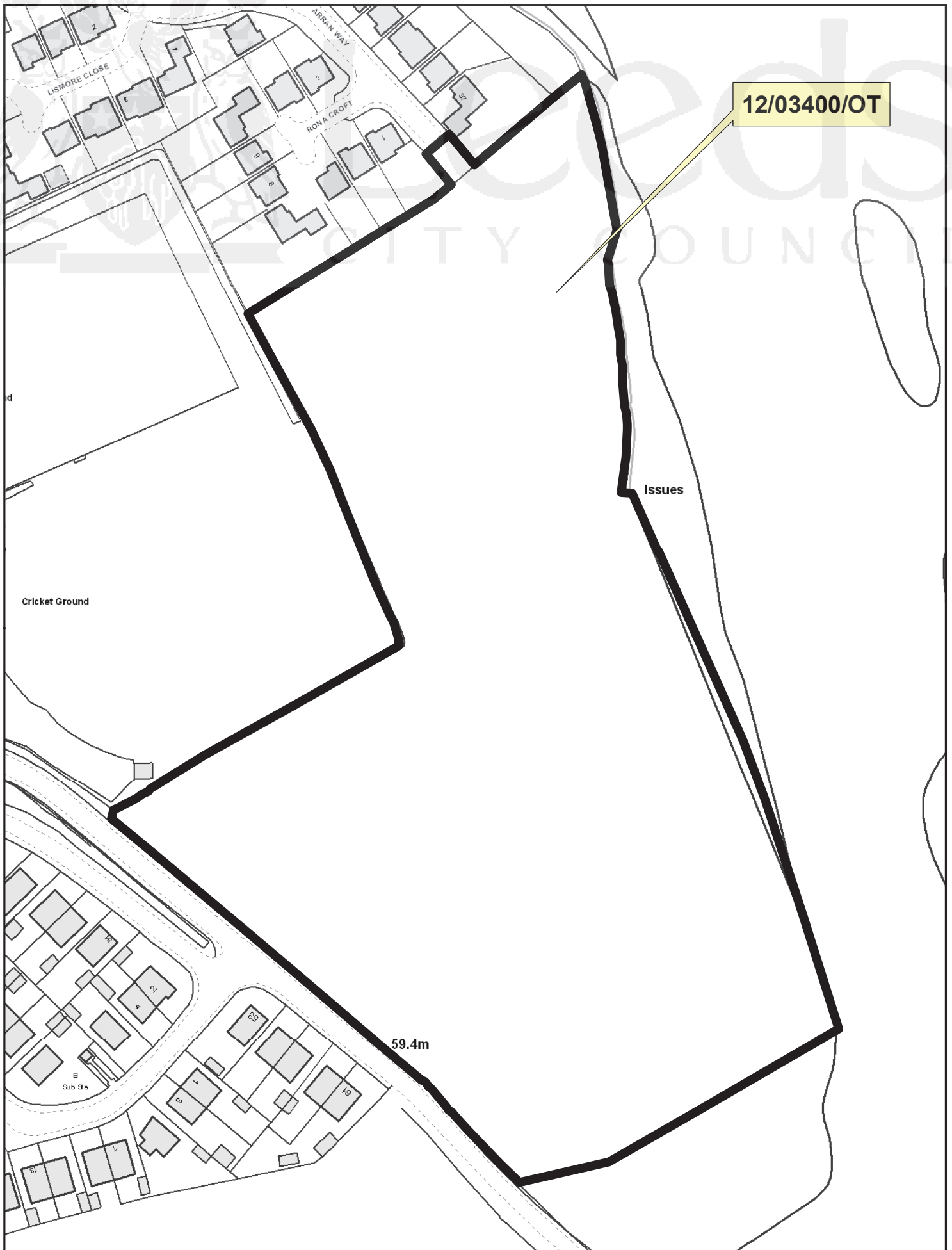
3.1 As set out above this is a draft document and is subject to ongoing negotiation. The draft is based upon a model Section 106 Agreement that the council uses. It is not uncommon for commuted sums to be paid on a phased basis and this part reflects current economic circumstances. But it is clear that the phasing of payments should reflect the need to provide local infrastructure enhancements in a timely manner and as such relevant sections of the council, and other bodies, will be consulted to see if the terms of the draft Section 106 meet their requirements. However, clearly this is a matter that Members may wish to comment upon. Discussions are still ongoing with the applicant to secure an off site contribution for extra care accommodation in lieu of the affordable housing. This contribution will be based on the difference between the sum of the open market value of the affordable units and the sum of multiplying the floor areas of the affordable units by the social rent price and the sub-market/intermediate price. This will result in a cash equivalent value to the provision of on site affordable housing and will take into account any uplift in value of the site.

Background Papers:

Planning application file.

Draft Sec.106 Agreement.

Executive Board Report and associated background paper.



CITY PLANS PANEL

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Originator:
Shameem Hussain
Tel: 0113 2478024

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6th June 2013

Subject: Application 12/03401/OT – Outline Application for residential development at Fleet Lane, Oulton

APPLICANT	DATE VALID	TARGET DATE
Hallam Land Management Ltd.DW Wilson and trustees of the Thurstaston Park Trust	06.08.2012	05.05.2012

Electoral Wards Affected:
Rothwell

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Following the resolution of the City Plans Panel of 9th May 2013 to approve the principle of this residential development subject to the conditions set out in that report to City Plans Panel, plus additional conditions relating to the delivery of a Travel Plan, limiting the number of dwellings to no more than 80 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels and subject to the completion of the Section 106 Agreement to cover the following matters this report sets out a summary of the terms of a draft Sec.106 Agreement for Members consideration.

DEFER AND DELEGATE to the Chief Planning Officer the completion of the Section 106 Agreement (in consultation with Ward Members) to cover the matters referred to below and the subsequent issuing of the planning permission:

- Provision of 15% affordable provision on site OR as a commuted sum of £1.02 million towards provision of affordable extra care provision off site
- Greenspace contribution of £85,597.41
- Public Transport Infrastructure £98,097
- Travel Plan Management Fee £2,500

- Residential Metrocard scheme £44,425.60
- Education contribution £381,104
- Local training and employment initiatives during the construction of development
- Off site highway works

All the financial contributions are index linked. 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 BACKGROUND

- 1.1 Outline application 12/03401/OT that sought approval for the principle of a development of 80 dwellings at this site was presented to Members at City Plans Panel on the 9th May 2013. Members resolved the following:-

“ To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, plus additional conditions relating to the delivery of a Travel Plan, limiting the number of dwellings to no more than 80 houses, a condition relating to existing and proposed ground levels and submission and approval of finished floor levels and the drawing up of a Section 106 Agreement to cover those issues set out in the submitted report and consultation with Ward Members and subject to a further report being submitted to Panel for consideration of the Section 106 Agreement”

- 1.2 This report is presented to City Plans Panel for the consideration of the terms of the draft Section 106 Agreement.

2.0 DRAFT SECTION 106 AGREEMENT

- 2.1 The Community Infrastructure Levy Regulations 2010 set out legal tests for the imposition of planning obligations. These provide that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is -

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 2.2 The applicant has submitted a draft Sec.106 Agreement and this is currently under negotiation. The submitted draft Section 106 consists of the following:-

- 15% affordable housing provision on site
- Off site greenspace contribution of £85,597.41
- Scheme for the construction and maintenance of the on-site greenspace area
- Education contribution of £381,104 (Primary £237,785.00 & Secondary £143,319.00)
- Public Transport Infrastructure £98,097.00
- Compliance with and implementation of Travel Plan Management Fee £2,500

- Residential Metrocard scheme £44,425.60 or as otherwise agreed
- Local training and employment initiatives during the construction of the development.

2.3 The financial contributions set out above are all index linked and meet the council's full planning policy requirements and are unchanged from those reported to the May City Plans Panel. The draft Section 106 does not include clauses relating to the provision of a commuted sum for the provision of extra care accommodation and off site highway works. With regard to the latter discussions are ongoing about the extent and precise nature of the works. As such both of these issues are subject of ongoing discussions and negotiations. A summary of the terms of the draft Sec.106 Agreement as submitted are set out below:

Affordable Housing

2.4 The draft Agreement includes clauses that require (15%) 12 units be provided on site comprising 6 social rented units and 6 sub-market intermediate affordable units. That the affordable units be disposed to a Housing Association and that the location, type and mix of the affordable units be submitted to and approved by the council.

2.5 Members will recall that at the May City Plans Panel it was reported that negotiations were ongoing in respect of the provision of extra care accommodation in the locality in lieu of the on site affordable housing provision and that this would be in the form of a commuted sum. As a result of those negotiations, the applicant has proposed a commuted sum of £1.02 million for the provision of extra care accommodation in lieu of the onsite affordable housing provision. However, the applicant does want to maintain a degree of flexibility in that the Sec. 106 Agreement will be worded to allow either the payment of a commuted sum or the provision of affordable housing on site. This is in part so the progression of the development will not be delayed unduly by any uncertainties that may exist with the delivery of extra care accommodation. If Members were to support a commuted sum as the preferred option officers would continue to actively explore a delivery route. This would include a procurement process to select a Registered Provider and following that decisions would be taken in respect of the form and timing of the delivery of affordable extra care accommodation.

(i) Background to Extra Care Provision:

2.6 A report on elderly care provision was presented to Executive Board on 15th February 2013. A joint report from Adult Social Services, City Development and Environment and Neighbourhoods seeking approval for the implementation of a holistic city wide approach to increase and improve the range of accommodation for older people available in Leeds. The report outlined a co-ordinated programme of activity which had been developed across the Directorates of City Development, Adult Social services and Environments and Neighbourhoods. Outlining the principles of looking at new ways of supporting the provision of Extra Care Housing. It identifies where the gaps are in the provision for extra care housing, and how this provision can be delivered by working with other sections of the Council. This includes the provision being delivered through the S106 mechanism. The ward of Rothwell was identified in the report as being an area to be a priority for investment. The report also set out that it was proposed to bring forward immediately available land in its ownership for disposal for the development of extra care accommodation and one of the potential sites identified was Windlesford Green in Rothwell.

2.7 Executive Board resolved:-

- “(a) *That the requirements for specialist accommodation for older people be noted.*
- (b) *That support be given to the approach to investment outlined within sections 3.3 – 3.98 of the submitted report which includes delivery through working with housing associations and independent providers, bidding for external funding support and some direct investment in new build housing.*
- (c) *That the principle of the Council disposing of the sites (subject to consultation where necessary) listed at Appendix of the submitted report (sections 1.5, 2.4 and 3.4) for extra care accommodation be agreed, with a further approval being sought from Executive Board for a less than best disposal, should this be required following marketing.*
- (d) *That the release of sites at Appendix 1 and Appendix 2 (section 3.5) of the submitted report be agreed(subject to consultation where necessary) for the purpose of disposal on the open market , with the Board noting the potential to ring fence the receipts to support the delivery of this programme and the requirement for separate Executive Board Approval “*

- 2.8 Extra Care Housing differs from other types of older people’s accommodation and can be broadly defined as providing the opportunity for older people with a range of support needs (such as with personal care, meals, cleaning and the taking of medication) to live in their own home, with their own front door, in a safe and secure environment within a community setting. There are generally communal facilities such as activity rooms, dining rooms/restaurants within Extra Care, but these vary depending on what services are already available within the local community. 24 hour emergency access to care and support, usually provided by on-site staff, is a key feature of Extra Care Housing. This level of care and support can be supplemented in response to an individual tenant’s level of assessed need. This allows people to maintain their independence and quality of life for longer and for many older people it offers an alternative choice to residential care.
- 2.9 A detailed demand analysis exercise has been carried out in Leeds, using 2011 census data to identify the quantity and type of older peoples housing required across the city. Indications are that the city needs to develop 879 units of Extra Care accommodation over the period to 2020. The Rothwell ward is estimated to have a current shortfall in the provision of Extra Care Housing amounting to 44 units. Given that Extra Care Housing schemes are relatively expensive in terms of build cost per unit and many of the schemes to date have been developed with high proportions of units for social rent and in areas with low property values subsidy funding has been an essential contribution to the growth of the Extra Care Housing stock. Through the use of the Sec.106 Agreement an opportunity exists to make a valuable contribution to meeting a specific local need.
- 2.10 It is likely that the monies will be used to deliver and secure affordable accommodation via a Registered Provider with the city council retaining a 50% or higher nomination rights. Normally nominations would be based on care assessments undertaken by social workers taking into account the care needs of individuals and the suitability of their existing housing (including whether it can be suitably adapted). The scheme manager would ultimately make the final decision as to who to allocate the accommodation to and this will be based on an assessment that the appropriate level of care can be provided to the potential occupiers.

Primary Education

- 2.11 That the contribution is paid on a phased basis and that 3 payments of £79,262.00 are made to the council. The first payment being paid within 6 months of the commencement of development, the second prior to the occupation of 50% of the dwellings and the final payment prior to the occupation of 75% of the dwellings.

Secondary Education

- 2.12 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £47,773.00.

Greenspace Areas

- 2.13 That prior to the commencement of development details of a scheme for the construction and maintenance of the Greenspace Area be submitted to and approved by the council. This would be required to include details of planting plans and specifications, a programme relating to timescales for implementation and a future maintenance plan. The maintenance shall either be carried out by the owner of the land or by a management company.

Off-site Greenspace contribution

- 2.14 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £28,532.47.

Public Transport Improvements Contribution

- 2.15 A phased payment would be made on the same basis as described in 2.8 but with 3 payments of £32,699.00.

Residential Metrocard Scheme

- 2.16 Again a phased payment would be made on the same basis as described in 2.8 but with 3 payments of £22,212.80.

Travel Plan

- 2.17 That reasonable endeavours be used to implement and comply with the terms of the Travel Plan prior to the occupation of the first dwelling. A Travel Plan co-ordinator shall be appointed. The Travel Plan shall be subject to review with the council and any reasonable recommendations made shall be implemented. The developer shall pay to the council a travel plan monitoring fee of £2,500 prior to the first occupation of the first dwelling.

Training & Employment Initiatives

- 2.18 That reasonable endeavours be used to co-operate and work closely with Employment Leeds to develop an Employment and Training Scheme to promote employment opportunities for local people during the construction works. Such a plan would include:

- The employment of local contractors and sub-contractors and local people in construction works;
- Consult with Employment Leeds with a view to identifying procedures to facilitate the appointment of such persons.

- Prior to the commencement of construction works to agree a method statement with Employment Leeds to facilitate the appointment of such persons.
- To work with Employment Leeds and agree a method statement identifying the number and types of employment and training opportunities that can be accessed by local people.
- To provide Employment Leeds on a 6 monthly basis details of the recruitment and retention of local people as employees.
- To provide Employment Leeds with details of any vacancies that arises during construction.

2.19 For the purposes of the Agreement local people means someone whose principal place of residence is within the electoral ward or adjoining wards in which the development site is located. Or if no such persons can be found persons whose principal place of residence is within the Leeds administrative boundary.

3.0 COMMENT

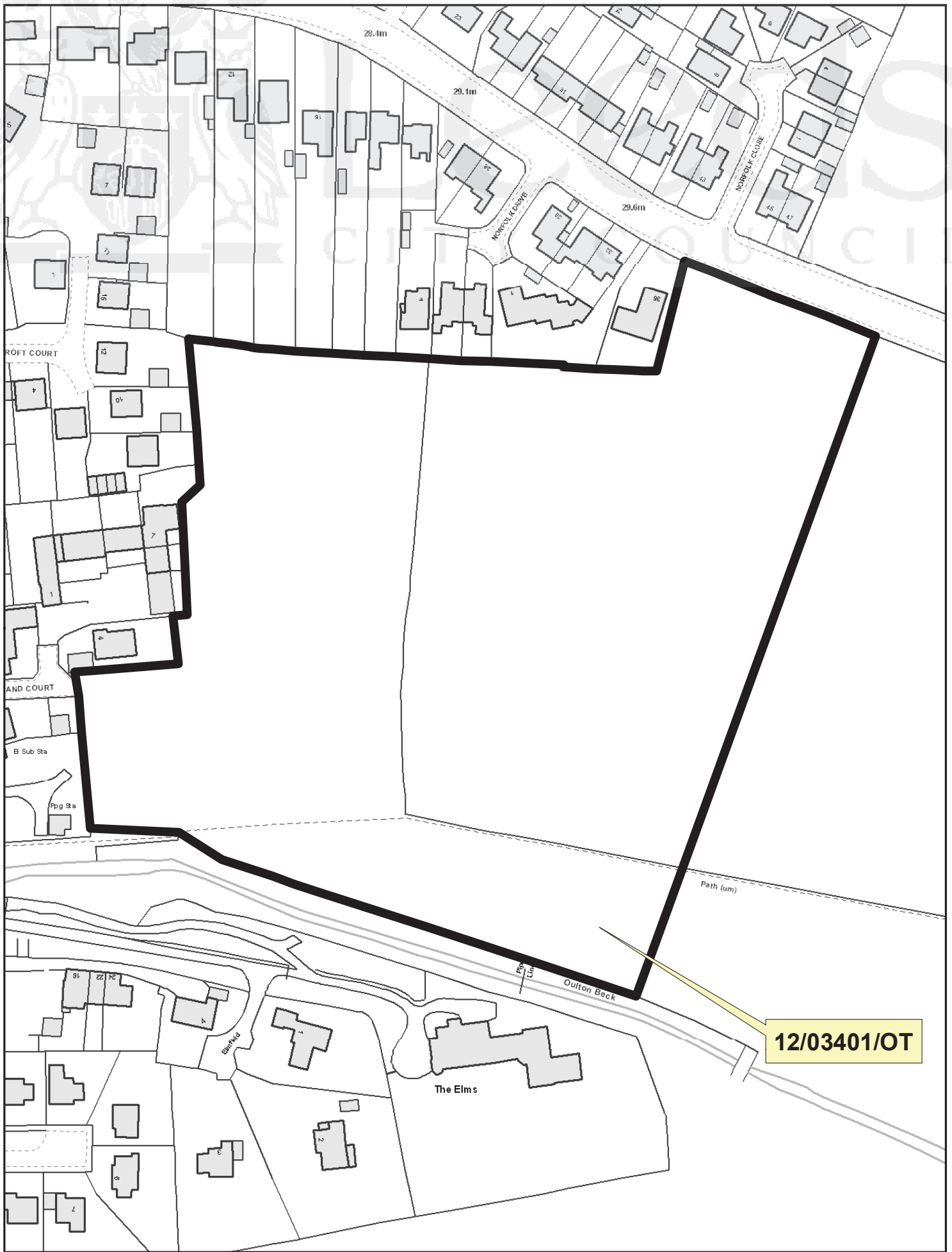
3.1 As set out above this is a draft document and is subject to ongoing negotiation. Members will be updated at Panel of progress on these negotiations. The draft is based upon a model Section 106 Agreement that the council uses. It is not uncommon for commuted sums to be paid on a phased basis and this part reflects current economic circumstances. But it is clear that the phasing of payments should reflect the need to provide local infrastructure enhancements in a timely manner and as such relevant sections of the council, and other bodies, will be consulted to see if the terms of the draft Section 106 meet their requirements. However, clearly this is a matter that Members may wish to comment upon. Discussions are still ongoing with the applicant to secure an off site contribution for extra care accommodation in lieu of the affordable housing. This contribution will be based on the difference between the sum of the open market value of the affordable units and the sum of multiplying the floor areas of the affordable units by the social rent price and the sub-market/intermediate price. This will result in a cash equivalent value to the provision of on site affordable housing and will take into account any uplift in value of the site.

Background Papers:

Planning application file.

Draft Sec.106 Agreement.

Executive Board Report and associated background paper.



12/03401/OT

CITY PLANS PANEL

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Originator: Andrew Windress

Tel: 3951247

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6th June 2013

Subject: APPLICATION 13/00288/RM – RESERVED MATTERS APPLICATION FOR 177 HOUSES, ONE BLOCK OF 9 APARTMENTS AND ONE BLOCK OF 6 APARTMENTS INCLUDING ASSOCIATED LANDSCAPING AT OPTARE, MANSTON LANE, CROSS GATES, LEEDS, LS15 8SU.

APPLICANT
Ben Bailey Homes

DATE VALID
25/1/13

TARGET DATE
20/6/13

Electoral Wards Affected:

Crossgates & Whinmoor

Yes

Ward Members consulted

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 identified at Appendix 1 (and any others which he might consider appropriate) and the expiry of the revised publicity period and subject to no representations being received which raise new significant material planning considerations.

1.0 INTRODUCTION:

1.1 Reserved matters approval is sought for a major residential development at the former Optare/Draka UK site at Manston Lane, Cross Gates. A position statement regarding this application was presented to the March 14th City Plans Panel. Officers and Members raised a number of concerns at the March Panel therefore officers have been in negotiations with the applicant on a revised scheme. Significant progress has been made and the scheme is now considered to have addressed the concerns raised and is recommended for approval.

2.0 PROPOSAL:

2.1 Reserved matters approval is sought for 192 residential units, 12 less than the previous scheme presented to Panel. Outline consent has been granted for the

principle of development and means of access therefore the appearance, landscaping, layout and scale of development is to be agreed via the current reserved matters application. The development is to be delivered in two phases with 103 houses in the first phase and 89 units (74 houses, 15 apartments) in the second phase.

- 2.2 177 houses (2 five bed, 85 four bed, 60 three bed, 30 two bed) and 15 two bed apartments are proposed. There are fourteen different house types of both two and three storeys that are spread across the development and include detached, semi-detached and terraces of three and four dwellings. The 28 three storey properties are all semi-detached and are located in specific areas that are considered suitable for taller properties such as location overlooking the public open space and playing fields to the north and where there are taller, gable end two-storey properties adjacent. The houses are faced in one of two types of red multi-brick or an artificial stone, all houses have a concrete dark grey roof tile.
- 2.3 The 15 apartments are accommodated in two buildings in the north-east corner of the site. The apartment buildings are three-storeys and finished in the same red multi brick and concrete tile as the houses. To the rear of the flats are 17 parking spaces and amenity space for the residents.
- 2.4 There are two main vehicular access points serving the site off Manston Lane, as agreed under the outline application. There are also two further access points onto driveways serving two and five properties. The site accommodates a cycle route on a shared footpath and one of the internal roads provides a connection through the site and towards Pendas Fields and onto the strategic cycle route proposed through East Leeds.
- 2.5 10% of the site is provided as public open space (POS), this space is located in the centre of the site. The timing of the delivery of the POS is linked to the remediation strategy for the site. To avoid bringing large quantities of clean soil to the site unnecessarily, existing soil within the site is recycled as it becomes available during excavation works to provide the clean capping layer to the POS. The POS will therefore be completed prior to occupation of the 103rd unit (ie the last unit delivered in the first phase). Works on the POS will commence prior to occupation of the 29th unit and be 50% complete prior to occupation of the 52nd unit.
- 2.6 The 15% affordable housing for the first phase of development provides 15 units (9 two bed and 6 three bed semi detached and terraced properties).
- 2.7 Whereas there is a presence of coal underneath the site, it is acknowledged that the coal is too deep to viably extract.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application site has an area of 6.3 ha. The site was formally occupied by buildings relating to the Optare bus builders and specialist cable manufacturers Draka UK but all buildings have been demolished and the applicant has commenced the remediation works required by the outline consent.
- 3.2 Limited landscape features can be found at the extreme boundaries of the site and the land gently slopes up from Manston Lane towards the sports field to the north. The former Manager's house for the Optare site is located on Manston Lane in the centre of the site, this building is excluded from the application boundary because it is in separate ownership but is still in residential use.

- 3.3 The application site is located within a part of Manston Lane which until recently was characterised by industrial development with the exception being only a handful of residential properties including the former manager's house in the centre of the site's frontage and a pair of semi-detached dormer bungalows to the east. However, Bellway are currently on site with a 122 unit residential scheme known as The Limes on the southern side of Manston Lane on the former Vickers Site and there are further housing proposals on the Vickers site currently under consideration therefore the character of the area has already changed and could do further in the coming years should further residential schemes be supported.
- 3.4 The Pendas Fields playing fields are located to the north (including a public footpath running east to west) and a dismantled railway (situated within a cutting and relatively overgrown) runs the length of the site's western boundary beyond which the residential properties within Penda's Way are located. There are a number of mature trees within the railway cutting abutting the western boundary, many of which overhang into the site. The Richmond ice cream factory is located directly to the east.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 13/00234/COND: Discharge of condition application for conditions attached to the outline consent 08/00298/OT. This discharge of condition application is still under consideration. The applicant has commenced remediation works.
- 4.2 08/00298/OT: Outline approval for the principle of and means of access for a residential development of up to 256 residential units. This application was originally considered by East Panel in September 2008 before lengthy Section 106 negotiations resulted in East Panel agreeing to grant permission in June 2012. The application was formally approved on 15th November 2012. Condition 4 attached to the outline consent restricts the development to a maximum of 256 units at a size and range shown on the approved illustrative layout plan (205 houses and 51 apartments). Condition 4 also prevents no more than 138 units (96 houses, 42 apartments) to be constructed until the Manston Lane Link Road (MLLR) is built through Thorpe Park to the M1. However, condition 4 does permit changes to be agreed with the Council subject to the highway implications remaining broadly the same.
- 4.3 06/06511/OT: Outline application for residential development, refused 5/4/07.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Officers commenced pre-applications discussions on the reserved matters (layout, scale, appearance and landscaping) and more detailed highways and amenity issues in August 2011. Meetings took place that sought to ensure the scheme adheres to the principles established through the outline application. Negotiations primarily related to the site layout to deliver a well connected street layout focused around a central greenspace, provide appropriate spaces between dwellings and ensures private amenity spaces are provided of a sufficient scale. The impact of noise from the adjacent ice cream factory was also closely examined.
- 5.2 The scheme originally submitted and presented to the March Panel raised a number of concerns. Since the March Panel officers have negotiated a significantly improved scheme that is now considered acceptable. The scheme has been reduced from 204 to 192 units, increased the space between most properties,

enhanced the public open space and landscaping across the site, includes some additional planting on Pendas Fields addressed the highway concerns and ensures the existing trees within the site and in the railway cutting abutting the western boundary are retained and protected. The improvements are discussed in detail below and a copy of the minutes of the March 14th Panel are provided at Appendix 2.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Site notices were posted 8/2/13 regarding the scheme first submitted. Two letters of objection were received in response to the originally submitted scheme. Following the receipt of revised plans the application has been re-advertised by way of site notice on 17/5/13 (expiry 7/6/13). Following direct consultation with the original objectors both objections have been withdrawn as the revised scheme has addressed the original concerns.

6.2 Ward Members have been consulted on the revised plans and raise no objections.

7.0 CONSULTATIONS RESPONSES:

7.1 Coal Authority: No objection. Previous stages of this development proposal have afforded due consideration to the potential presence of a mine entry on the southern site boundary and the applicant has undertaken intrusive investigations to locate the feature, with the permission of The Coal Authority.

7.2 Highways: The revised scheme is acceptable subject to confirmation of sight lines and a minor amendment to the cycle store to the flats.

7.3 Public Rights of Way: No objection provided the public footpath abutting the northern boundary is not obstructed.

8.0 PLANNING POLICIES:

8.1 Development Plan

8.2 The application site is unallocated within the UDPR, however the following policies are of relevance:

GP5: General planning considerations.

N2/N4: Greenspace provision/contributions.

N10: Protection of existing public rights of way.

N12/N13: Urban design principles.

N23/N24/N25: Landscape design and boundary treatment.

H4: Housing development of site not identified in the UDP can be considered acceptable.

BD5: Design considerations for new build.

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

T5: Consideration of pedestrian and cyclists needs.

T7/T7A: Cycle routes and parking.

T24: Parking guidelines.

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

8.3 Neighbourhoods for Living: A guide to residential development in Leeds.

- 8.4 Street Design Guide.
- 8.5 Natural Resources and Waste Development Plan Document.
- 8.6 Greenspace Relating to New Housing Development.
- 8.7 Designing for Community Safety: A Residential Design Guide.
- 8.8 National Planning Guidance
- 8.9 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 NPPF identifies a presumption in favour of sustainable development and good design.
- 8.10 Emerging Policy
- 8.11 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013.
- 8.12 As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.
- 8.13 Policy P10 promotes good design reflective of the context of the site and the protection and enhancement of a site's natural features.

9.0 MAIN ISSUES

- Quantum of development, range of house types and phasing.
- Layout, design and landscaping.
- Residential amenity.
- Highways.

10.0 APPRAISAL

- 10.1 Quantum of development and range of house types
- 10.2 As highlighted above, the outline consent includes a condition (number 4) that restricts the development to no more than 256 units at a size and layout shown on the approved illustrative layout (205 houses and 51 apartments). Condition 4 also prevents no more than 138 units (96 houses, 42 flats) to be constructed until the MLLR is built from Manston Lane through Thorpe Park to the M1. However, all of the above can be varied through agreement with the Council.
- 10.3 The proposed scheme has a different layout and mix of houses than illustrated by the outline consent. A total of 192 units are proposed with 177 houses and 15 two bed apartments. There are 149 two-storey houses and 28 three-storey houses with

almost half the dwellings being detached. 103 houses (are proposed to be delivered in the first phase, i.e. pre-MLLR).

- 10.4 The previous illustrative layout produced in January 2008 indicated terraced properties as the predominant house type and included a greater percentage of apartments. Due to changes in the housing market and preferences of house builders/house buyers, the range of housing has changed and the reserved matters application now proposes a greater percentage of family houses and significant reduction in the number of apartments. In principle and subject to detailed design considerations, the change in type of housing available at the site is considered acceptable as there is still an intention to deliver a good mix of house types across the site that will ensure the delivery of a mixed community.
- 10.5 The approved illustrative layout highlighted two separate areas of public open space either side of a residential cluster in the centre of the site. At the request of officers, the proposed layout provides the public open space in the centre of the site. The proposed size is the equivalent to the combined size of illustrative public open space but as it is one large space and located in the centre of the site it is a much more usable space accessible by all properties.
- 10.6 As discussed, condition 4 on the outline consent prevented no more than 138 units (96 houses and 42 flats) to be delivered until local highway improvements in the form of the MLLR as it will help to alleviate pressure on the road junctions in and around Cross Gates. Under the current scheme and its amended layout the applicant proposes to deliver 103 houses in this first phase prior to the construction of the MLLR. Highways officers have agreed to this change as it is considered the impact in terms of number of vehicles on the highway network from 103 houses will have no greater impact than those originally anticipated from the 96 houses and 42 apartments specified within the condition.
- 10.7 For the reasons outlined above it is considered that a change to the layout, range of house types and phasing of the development is acceptable in principle.
- 10.8 Layout, design and landscaping
- 10.10 As highlighted above, pre-application discussions have resulted in the development including a central public open space. Officers strongly support this approach as it provides a central focus for the site and allows for an ordered highway network around the space. The layout also allows for many properties to have their rear garden backing onto other rear gardens as is desirable from a community safety point of view as natural surveillance is provided.
- 10.11 Since the March 14th Panel the detailed layout of the site has been closely scrutinised and significant improvements have been made that now result in a layout that reflects the principles set out in pre-application discussions and responds to the issues raised at Panel. The number of houses on the site has been reduced by 12 to allow better spacing between properties. Many properties now have single or double driveways or garages between them therefore creating a much more spacious streetscene. Whereas some of the distances between properties are still below the guidance distance set out in Neighbourhoods for Living that seeks 2.5m to the boundary from a dwelling, it is considered that the overall spatial character of the development is acceptable as this distance is achieved or exceeded in some instances but reduced in others. It is worth noting that with some of the properties already being close together, this would limit the ability to use permitted development rights to extend in the future therefore ensuring the streetscene agreed

today would remain roughly the same in the years to come so is less likely inappropriately eroded as can sometimes occur where greater gaps are provided at the outset.

- 10.12 A number of hipped roof properties have been introduced to further increase the perception of space and house types have been closely examined to ensure complementary houses are placed next to each other. Streetscenes now have a more gentle increase in height up to the three-storey properties rather than jumping up and down. Almost all houses along Manston Lane front onto the highway to give the development presence onto the road. These properties are set back from the highway and have therefore allowed a good landscape buffer to be introduced that will provide the first part of what is intended to be a lengthy landscape buffer along to whole of the new Manston Lane Link Road (MLLR).
- 10.13 The internal roads now have gentle curves that provide interest and slow traffic without creating awkward highway movements. At key gateways along the internal roads pairs of houses have been introduced to emphasise the gateway whilst at the end of most key views feature stone properties have are now present.
- 10.14 Garden depths have been increased and improved and all properties are now considered to have an acceptable garden size and depth to ensure sufficient amenity is provided to residents and avoid conflict with off site trees. This is particularly important on the western boundary of the site where the mature trees within the former railway cutting overhang the boundary of the site therefore garden depths and the location of dwellings are reflective of the space considered necessary to ensure the retention and protection of these trees. In this area permitted development rights will be removed to ensure any future extensions require planning permission.
- 10.15 As previously reported, the apartment blocks are located in the north east corner of the site with the parking provided on the north east boundary adjacent to the ice cream factory. It is considered this is an appropriate location for the apartment blocks as it is preferable to incorporate a parking area on the boundary adjacent to the factory rather than private gardens.
- 10.16 At the March Panel concerns were raised regarding the presence of short ginnels that provided rear access to a number of the terrace properties, Members requested these be removed from the proposals. Best efforts have been made to remove these routes and the numbers of terraces have been reduced. However, there are still three instances where such routes are required to provide rear access and therefore avoid the need for bins to be stored at the front of dwellings potentially appearing unsightly in the streetscenes. In order to ensure the security concerns that often apply to these features are reduced, each ginnel would be relatively short in length and well overlooked by a number of properties. Importantly, each ginnel would serve no more than two dwellings and will incorporate lockable gates. On balance it is considered that this limited number of routes combined with the specified measures do not raise significant safety concerns and are therefore acceptable in this instance.
- 10.17 The substation has been relocated from its original position in the corner of the POS to a less prominent location away from the main vehicular routes and now has a more appropriate relationship with two adjacent properties.
- 10.18 Most of the house types proposed across this site have been previously accepted by the Council on other sites and are considered appropriate for this site. There is a

wide variety of house types proposed that generates interest within the streetscenes and avoids monotony. The house types are considered to be well designed with additional details such as projecting bay windows and art-stone heads and cills. The dwellings will be finished in one of two types of red multi-brick with a small number finished in artificial stone. Since the March Panel more house types have been introduced, the number of hipped roofs increased and the pitch to many of the roofs have been reduced to remove the top heavy character.

- 10.19 An additional benefit the scheme now delivers is an area of off site tree planting within Pendas Fields to the immediate north of the site. This planting will provide a softening buffer to the development when viewed from the playing fields and provide an attractive continuation of the existing planting within the fields.
- 10.20 The design of the POS has been significantly improved and now offers an attractive place for all elements of the community to congregate and walk through. The POS includes seating, raised mounds and other natural play features such as stepping stones and tree stumps in addition to around 45 trees.
- 10.21 The Manston Lane frontage now incorporates a landscape buffer with an attractive railing to reflect that used on the Bellway site opposite and a continuous landscape scheme that includes shrub and tree planting. It is envisaged this form of boundary treatment to Manston Lane can be incorporated along the full length of Manston Lane as other sites are developed and therefore significantly enhance the character of the area.
- 10.22 As previously reported, the general layout of properties set around a central greenspace and ordered streets is entirely appropriate and fully supported. Significant improvements have been made to the layout and density of the scheme whilst close scrutiny of the streetscenes has resulted in a character and appearance that is considered acceptable.
- 10.23 Residential amenity
- 10.24 A noise assessment has been carried out that seeks to discharge a condition on the outline consent and give comfort regarding the proposed site layout and its relationship with Manston Lane to the south and the ice cream factory to the east. Officers are awaiting updated comments from colleagues in Environmental Health on this matter and Members will be updated with these comments at Panel. Nevertheless, the two pronged approach to dealing with noise issues both at source by attenuating operations at the ice cream factory and through the use of acoustic fencing around a number of private gardens is considered appropriate.
- 10.25 The length and size of rear gardens areas has generally been increased and are now considered acceptable. Furthermore, the problems of overlooking, loss of light or overshadowing of both proposed and existing properties should not occur due to changes in the orientation and position of properties and the relationship between windows. Both residents that abut the site have removed their objections following the revisions made.
- 10.26 Highways
- 10.27 The main means of access into the site were agreed at outline stage and those agreed access points are retained on the current layout. There are however an additional two access points from Manston Lane serving groups of two and five

detached properties. These additional accesses are required from a highways perspective.

10.28 As highlighted above, the change in phasing that delivers all houses in the first phase has been examined by highways officers and is considered acceptable since its overall impact on the local highway network would be no greater than considered at outline stage and in fact would likely to be less than originally agreed. Furthermore the development delivers its section of cycle route through the site that ultimately links to Cross Gates railway station and forms part of the strategic cycle route identified for East Leeds.

10.29 The latest layout plan is considered to achieve appropriate levels of off-street parking including suitable opportunities for more casual visitor parking on-street, or in the case of the two new accesses off Manston Lane, within the cul-de-sacs themselves.

11.0 CONCLUSION

11.1 The proposals have been significantly improved since last presented to Panel and are now considered acceptable. Changes to the housing layout, relationship between properties and to Manston Lane, design of the houses and landscaping of the whole site have resulted in a scheme that is now considered complementary to the Bellway development across Manston Lane and a good example for future housing development along Manston Lane. Panel are therefore recommended to defer and delegate approval to allow for the revised publicity period to expire.

12.0 BACKGROUND PAPERS

12.1 Application file 13/00288/RM history file 08/00298/OT and discharge of condition application 13/00234/COND.

APPENDIX 1 – Conditions

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any provision in any statutory instrument revoking or re-enacting that Order, planning permission shall be obtained for any extensions or outbuildings to the rear of the properties on the western boundary (plot numbers 37-51 and 104-111 on drawing 4120/01/C Rev I), to the western side of plot number 35 and any extensions or outbuildings to plot 6.

To ensure trees adjacent to these properties are protected and fully considered prior to any works taking place in accordance with the adopted Leeds UDP Review (2006) policy GP5.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any provision in any statutory instrument revoking or re-enacting that Order, the garages and carports hereby approved shall be kept available and used solely as garages for the parking of motor cars for the benefit of the occupant of the dwelling for the lifetime of the development.

To ensure the free and safe use of the highway in accordance with adopted Leeds UDP Review (2006) policy T2.

APPENDIX 2 – Minutes of the 14th March City Plans Panel

Application 13/00288/RM - Reserved Matters application for 189 houses, one block of 9 flats and one block of 6 flats including associated landscaping - Optare, Manston Lane, Cross Gates, LS15 - Position Statement

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day. Officers presented a report of the Chief Planning Officer setting out the current proposals in respect of the Reserved Matters application for a residential development on Manston Lane Cross Gates LS15. The Panel noted that the outline application for up to 256 residential units had been agreed by the former Plans Panel East at its meeting held on 7th June 2012 (minute 22 refers)

Officers presented the report and informed Members that the scheme would be delivered in two phases, the second phase being dependent upon the delivery of the Manston Lane Link Road (MLLR). Members were informed that the dwellings would be sited around a central area of public open space (POS), with the highways layout revolving around that to give a good order to the streets

Concerns remained about the lack of separation between dwellings which created high density and a terraced feeling to many of the areas. Whilst it might be possible to accept less than the standard 3.5m distance between dwellings in some cases, distances of 2.00m were being generally proposed across the site, with in some cases, distances of 1.00m being shown. In addition, some of the gardens did not comply with the requirements set out in Neighbourhoods for Living and in relation to some properties, there were no active frontages which also was a concern for Officers

Regarding the delivery of the POS, the developer proposed commencing on this when 25% of the scheme was introduced and that half of the POS would be completed when 50% of the units were occupied, with Members' views on this being requested

Receipt of a letter of objection from a local resident was reported with Panel being informed that the issues raised in the objection would be outlined when the scheme was brought for determination

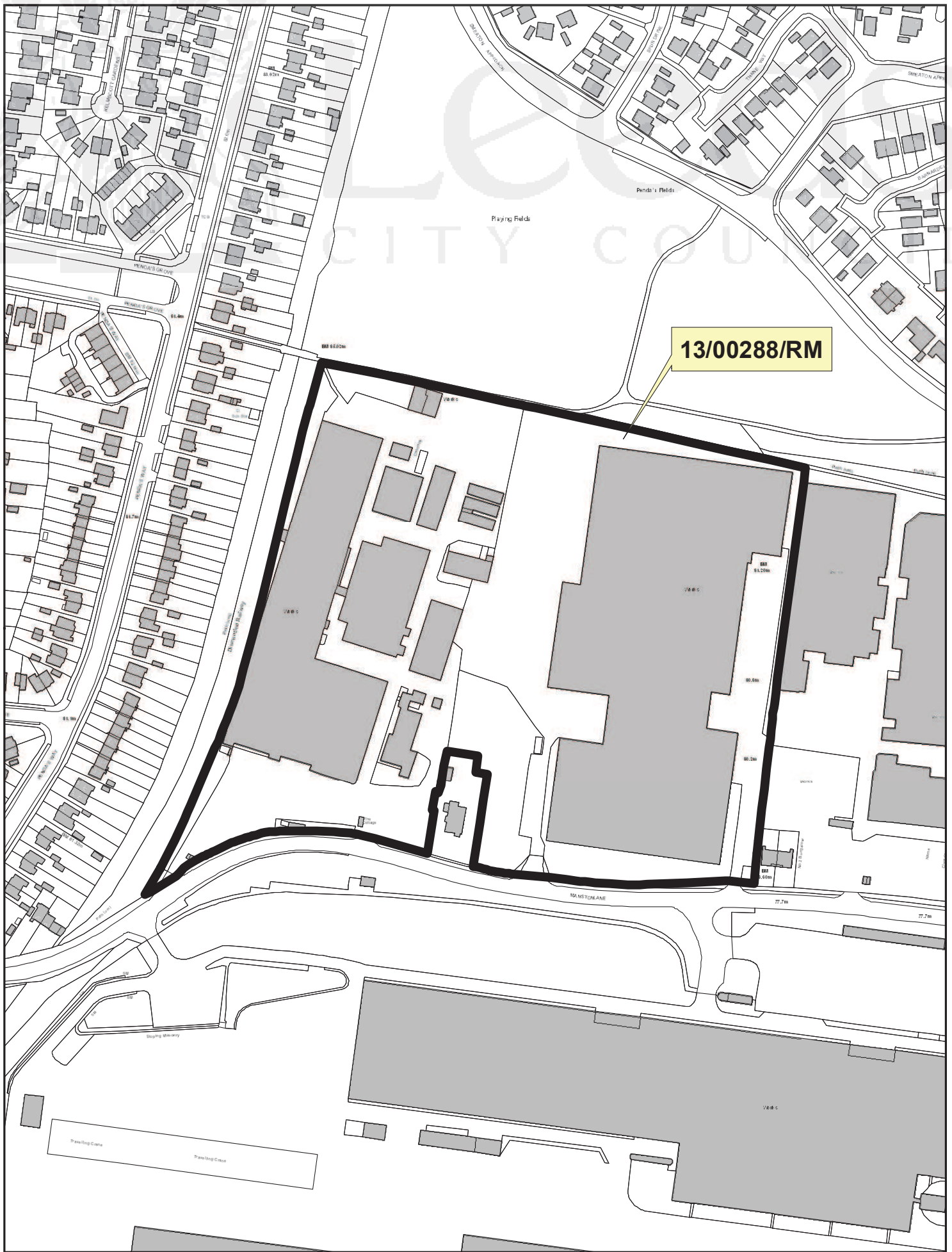
Members commented on the following matters:

- the separation distances and that across the site these were not acceptable
- the public open space and whether this was considered to be in the correct place. Officers were of the view that the central area was the most appropriate location for the POS and that it ensured it was easily accessible from all properties
- that the report referred to ginnels and that these must be removed and there should be no alleyways
- the phasing of the scheme and the number of properties to be delivered in the first phase. Members were informed that the first phase was restricted to 138 units, although the condition could be varied slightly to accommodate the 115 houses the developer wished

to bring forward in the first phase

- the need for the square to be a major feature in the scheme, that this had been achieved successfully in several London boroughs and that a quality scheme was needed for this area which provided more than benches
- that the proposals represented overdevelopment
- that there was a need to ensure there was a masterplan for this area
- the symmetry of the site and that this was not enhanced by the proposed house types and materials; that much more work was needed to improve the quality of the design of individual units and the layout generally and that it would be helpful for Members to see this site in context with the development on the adjacent site
- the position of driveways and parking which created a much too linear scheme
- the need to ensure that if the density of the scheme was reduced, that the same amount of POS, i.e. 10% of the site, was being provided
- that the proposed house types were of a poor standard from a volume house builder and that further discussions were needed between Officers and the developer to devise a more acceptable scheme
- the need for some consideration to the provision on site for homes for older people
- the need to adopt a common approach to landscaping and boundary treatment along the whole of Manston Lane

RESOLVED – To note the report, the comments now made and that Officers be asked to continue discussions with the applicant to address the concerns raised by Members



13/00288/RM

CITY PLANS PANEL

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Originator: C. Briggs

Tel: 0113 2224409

Report of the Chief Planning Officer

CITY PLANS PANEL

Date: 6 JUNE 2013

Subject: PRE-APPLICATION Reference PREAPP/13/00401 – New Educational Campus for Leeds College of Building at Cudbear Street, Hunslet Road and Black Bull Street, Leeds.

Electoral Wards Affected:

City and Hunslet

Yes Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: This report is brought to Panel for information. Leeds College of Building's representatives will be asked to present the emerging scheme to allow Members to consider and comment on the proposals.

1.0 INTRODUCTION:

1.1 This pre-application presentation relates to the former Yorkshire Chemicals site at Cudbear Street, Hunslet Road and Black Bull Street, Leeds. The proposals will be presented to Panel by Leeds College of Building and Fuse Architects to allow Members to comment on the evolving scheme, and to raise any issues prior to the intended submission of a full planning application.

2.0 SITE AND SURROUNDINGS:

2.1 The wider site is located to the east and west of Black Bull Street and comprises the former Yorkshire Chemicals site. The site lies just outside the South Bank Planning Statement area, but has an important strategic role in linking the city centre core, the railway station and the future City Centre Park to visitor attractions, convenience shops, food and drink, homes and workspace at New Dock (see Plan 1 South Bank Urban Design Principles) Members received a presentation by New Dock's owners Allied London regarding the refurbishment and reconfiguration of buildings and public realm at Plans Panel in May 2013, which were generally supported.

2.2 The wider site, currently owned by Yorkshire Design Group, consists primarily of two pieces of land (some 3.14 hectares), one between Chadwick Street and Black Bull Street in the east and the other to the west between Black Bull Street and Cudbear Street, bounded at the south by Hunslet Road. The college proposal site is some 0.85 hectare in area, to the west of Black Bull Street, at the southern end of the site. This site boundary overlaps with that of the data centre approved at City Plans Panel in November 2012 (see attached data centre site plan 2 12/03975/FU) and this proposal would prevent the data centre being built in this location in its approved form (see paragraph 4.2 below). The rest of the data centre site immediately to the north of the college proposal site up to the boundary with the Carlsberg distribution yard would be left vacant in the short term at this stage. The college may have plans in the future to expand onto this part of the site, however at present it will not form part of their application boundary, and it is possible that proposals for other uses may come forward for this piece of land, and for the land to the east of Black Bull Street.

2.3 The site lies unallocated within the designated City Centre in the Leeds Unitary Development Plan Review 2006, and within flood risk zones 2 and 3A. The surrounding area is a mixture of uses including residential, offices, food and drink, and retail, at Brewery Wharf, Indigo Blu, New Dock, Leeds City Office Park and Crown Point Retail Park.

2.4 The area would be served in the future by the NGT trolleybus system, with the nearest stop located on Chadwick Street.

2.5 The conversion of the Grade II listed Alf Cooke Printworks to form a campus for Leeds City College on the opposite side of Hunslet Road, is currently underway and is due to open in September 2013.

2.6 Other nearby listed buildings are the Grade II* listed Chadwick Lodge, the Grade II listed 16-18 Crown Point Road/35-41 Hunslet Road former Tetley's buildings. Unlisted heritage assets in the area include the Crown Public House, former Tetley's maltings, and Globe Iron Works on Crown Point Road, and The Malthouse on Chadwick Street

3.0 PROPOSAL

3.1 Leeds College of Building have been searching for a new site for some time, and are seeking to merge three sites (Parkside Lane, Stourton, and Lockwood Way) at a new City Centre location, with new teaching and learning facilities including workshops and classrooms, library and learning resources, refectory and student support services. The new site would provide high quality 21st Century teaching and learning facilities for brickwork and roofing, and mechanical and electrical services for up to 475 learners and 75 staff.

3.2 The building form would consist of three elements. A three storey workshop space for practical work would feature a traditional north-lit roof profile to echo the area's industrial heritage, and Kal Wall translucent external cladding to Black Bull Street. The south facing slopes of the roof would have solar panels located on them.

3.3 A 2 storey block would face west onto the car park to house short course teaching and support accommodation. This would be attached to the workshop accommodation and classroom/support element by a corridor with a glazed roof. The building would be clad with coloured metal rainscreen and glazing.

- 3.4 The 3 storey classroom, refectory and support services element would be formed of red brick, which would complement the setting of the historic Alf Cooke Printworks and the Medasil building on the opposite side of Hunslet Road. The refectory would be positioned on the ground floor to give active frontages to the south-western corner of the building, facing Hunslet Road and the landscaped space in front of the entrance to the building.
- 3.5 The new building would be designed to meet the BREEAM Excellent accreditation by delivering carbon emissions savings of at least 25% over Part L Building Regulations, a minimum of 10% renewable energy production on-site through roof-mounted photo-voltaic cells, and a 25% savings on water consumption.
- 3.6 Vehicular access would be from Cudbear Street. Approximately 50 surface car parking spaces would be provided, including 5 disabled bays. Cycle and motorcycle storage facilities would also be provided.
- 3.7 The building would be set back from the edge of the pavements to Black Bull Street and Hunslet Road, which would give a soft landscaped, tree-lined setting to the road frontages. To the north of the building would be a tree-lined soft landscaped pedestrian route, which would form the first contribution towards a new green network of routes between the future City Centre Park and New Dock, as identified in the South Bank Planning Statement. Similar routes are indicated on an illustrative masterplan for the eastern side of Black Bull Street, which is similar to that which accompanied the data centre proposal. A landscaped informal space would also be provided to the south of the car parking area next to the main entrance to the campus.

4.0 HISTORY OF NEGOTIATIONS

- 4.1 Detailed discussions with the Council regarding this site have taken place since mid-2005 following the closure and subsequent demolition of Yorkshire Chemicals. This led to the submission of an outline planning application in 2006 (ref. 06/04601/OT), which was approved at Plans Panel (City Centre) in 2008, and subsequently granted permission in 2009 for a multi-level mixed use development comprising predominantly residential (678 flats and 43 townhouses), with office, hotel, leisure, retail, car showroom, community uses, public space and car parking. This permission expired in July 2012.
- 4.2 City Plans Panel approved in principle a new data centre (ref. 12/03975/FU) on the northern part of this proposal site in November 2012, following pre-application and position statement presentations in August and October 2012. Planning permission was granted following the completion of the Section 106 agreement in January 2013. Works to remediate the site have commenced under condition 15 of this planning permission. The landowner Yorkshire Design Group and the data centre operator AQL have advised officers that they are looking at another potential site in the vicinity of this site, and will discuss further with the Local Planning Authority at the appropriate time, prior to submitting a new planning application.
- 4.3 Leeds College of Building and Fuse Architects commenced discussions with officers in January 2013.
- 4.4 City and Hunslet Ward Members were consulted regarding this proposal by email on 14 May 2013. Any comments will be reported to Plans Panel at the meeting.

4 RELEVANT PLANNING POLICIES

4.1 National Planning Policy Framework (NPPF)

The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. The NPPF advocates a presumption in favour of sustainable development. It is considered that the proposed use would meet the objectives of the National Planning Policy Framework in terms of meeting the objectives of sustainable development, and promoting the economic growth of the City.

4.2 Development Plan

Leeds Unitary Development Plan Review 2006 (UDPR)

The UDPR includes policies require that matters such as good urban design principles, sustainability, flood risk, highways and transportation issues, public realm, landscaping, biodiversity and access for all are addressed through the planning application process. The application site lies within the designated City Centre, but is unallocated for any particular uses. UDPR Policy CC30 states that proposals of this nature would be determined on their merits. It is not considered that the proposed use would give rise to amenity concerns within the context of a mixed residential/commercial area. In terms of supporting uses to serve the staff and learners, the site is located close to retail and food and drink provision at Crown Point Retail Park, Brewery Wharf and New Dock. It is therefore considered that the provision of greater mix of uses on the site is not necessary in this case as the wider site still has potential for other uses including new office workspace, residential, public realm and new pedestrian connections on the rest of the site. 20% publicly accessible space is required on-site under Policy CC10 for all sites over 0.5 hectare.

4.3 Relevant Supplementary Planning Guidance includes:

SPD Street Design Guide

SPD5 Public Transport Improvements and Developer Contributions

SPD Travel Plans

SPD Building for Tomorrow Today: Sustainable Design and Construction

City Centre Urban Design Strategy

South Bank Planning Statement

The site lies adjacent to the area covered by the adopted South Bank Planning Statement 2011 (see attached plan South Bank Urban Design Principles). The statement gives a framework for the delivery of a new City Centre Park on land to the south of the River Aire. The Council sees the development of a Park as a pivotal piece in the future development of this part of the City Centre. The provision of high quality greenspace in the city centre is needed to act as an enabler that redefines the southern gateway of Leeds City Centre, creating a new sense of place which enhances the waterfront, promotes high quality and sustainable employment and homes, and improves connectivity between the City Centre retail core, the South Bank, and neighbouring communities.

The key to the success of the aspirations for the South Bank and City Centre Park are much wider than the immediate scope of the document, and relate to the regeneration of the City Centre south of the railway line, between Holbeck Urban Village and New Dock. The South Bank Planning Statement sets out a series of new landscaped

pedestrian and cycle connections across the wider South Bank area, eventually linking Holbeck Urban Village and the City Centre Core (including the railway station and central bus stops west of the bus station) to New Dock through the proposed City Centre Park on the former Tetley Brewery site. All new developments on sites adjacent to Meadow Lane, Crown Point Road, Black Bull Street and Hunslet Road/Lane would need to deliver the continuation of landscaped pedestrian and cycle routes across the wider area, and the necessary pedestrian connectivity improvements such as crossings to major roads like Crown Point Road and Black Bull Street, other upgraded crossing points, increased pavement widths and lane reductions, in order to make new development acceptable and achieve the wider strategic ambition for the area.

This proposal should contribute towards a coordinated series of key infrastructure improvements as identified in the adopted South Bank Planning Statement. This would start with examining the walking and cycling route from the city centre core, via the Riverside and Bridge End, through the former Tetley Brewery site via a re-opened Hunslet Road (which has been secured via a Section 106 agreement attached to the Carlsberg temporary car park permission ref. 11/05031/FU – this route would also be retained as a link in the future City Centre Park in any permanent redevelopment), across Crown Point Road, through this proposed College site, and then across Black Bull Street, linking to retail, leisure, food and drink facilities at New Dock.

The college proposal has strong potential to complement the Council's aims for a City Centre Park, with new greened pedestrian and cycle routes linking across the area from Holbeck Urban Village to New Dock and beyond.

4.4 Leeds Natural Resources and Waste DPD 2013

The Natural Resources and Waste Local Plan was adopted by Leeds City Council on 16th January 2013. The Natural Resources and Waste Development Plan Document (Local Plan) is part of the Local Development Framework. The plan sets out where land is needed to enable the City to manage resources, like minerals, energy, waste and water over the next 15 years, and identifies specific actions which will help use natural resources in a more efficient way. Policies regarding coal recovery, flood risk, drainage, and air quality will be relevant to this proposal.

4.5 Leeds Core Strategy Publication Draft 2012

- 4.5.1 The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 26th April 2013 the Council submitted the Publication Draft Core Strategy to the Secretary of State for examination and an Inspector has been appointed. It is expected that the examination will commence in September 2013. As the Council has submitted the Publication Draft Core Strategy for independent examination some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination. Spatial Policies 1, 4, 5 and 8 of the Core Strategy aims to promote economic prosperity, job retention and opportunities for job and skills growth and retention in key strategic locations including the City Centre and Aire Valley Urban Eco-Settlement. The promotion of enterprise and innovation to deliver job growth, is highlighted as a particular opportunity. Spatial Policy 3 Role of Leeds City Centre seeks to maintain and enhance the role of the City Centre as an economic driver for the District and City Region, by

- comprehensively planning the redevelopment and re-use of vacant and under-used sites for mixed use development and areas of public space,
- enhancing streets and creating a network of open and green spaces to make the City Centre more attractive
- improving connections between the City Centre and adjoining neighbourhoods

Policy CC1 would seek to concentrate college facilities in the City Centre. The Core Strategy also aims to promote the integration of the South Bank into the City Centre as the gateway to the Aire Valley (Policy CC2). This application site lies within both the City Centre and the Aire Valley. The Aire Valley has been identified as one of the Leeds City Region's Urban Eco-Settlements, a regeneration priority which will promote sustainable development by seeking the delivery of commercial and residential areas which have a high quality greened environment, energy efficient buildings and operations, low carbon and green business, sustainable transport, community facilities and linked areas of green infrastructure. The role of the northern end of the Aire Valley, within the City Centre, will be geared towards the provision of some housing, but with significant provision of new offices, and other uses appropriate to the sustainable regeneration of the area, such as educational establishments.

The competitiveness of the City's economy would continue to be supported by the College of Building's new proposal through its role in training the workforce, and this new consolidated campus would help to improve accessibility to high quality construction trades skills development.

5.0 ISSUES

Members are asked to consider the following matters in particular:

- 5.1 It is considered that the principle of the proposed use is appropriate to the vision for the regeneration of the South Bank, and would be acceptable in the context of the NPPF, the adopted Development Plan and the emerging Core Strategy, subject to the consideration of detailed matters.

Do Members agree that the proposed use of the site would be appropriate in principle?

- 5.2 It is considered that the scheme progress so far features appropriate form, massing, architectural treatment and materials, in the context of the surrounding area and the Grade II listed Alf Cooke Printworks.

Do Members agree that the form, massing, architectural treatment and materials would be appropriate to the character of the area and the setting of the Alf Cooke Printworks?

- 5.3 Discussions have taken place regarding the configuration of the building and the site layout, including the vehicular access and location of the surface car park in relation to the building footprint, and the need to present positive building frontages to Black Bull Street and Hunslet Road. The car park would be visible from the site frontages to Hunslet Road and Cudbear Street.

What are Members' views regarding the site layout, site access, level of parking provision and the principle of surface car parking in this City Centre location?

- 5.4 It is considered that the presence of active frontages to all sides of the building, particularly to Hunslet Road, Black Bull Street and the new pedestrian route to the north is important to achieve the place-making aspirations for the area, and in the interests of community safety.

Do Members feel that the building would feature appropriate activity and natural surveillance to the surrounding streets and spaces?

- 5.5 It is considered that the general approach to landscaping and public realm by Leeds College of Building would complement the City's vision for the South Bank and the City Centre Park in terms of providing a green public route across the northern part of the site from east to west, the provision of public realm facing Hunslet Road and Cudbear Street, and the greening of Black Bull Street and Hunslet Road.

Do Members agree that the strategy for public realm and landscaping at this site would be appropriate in principle?

- 5.6 Potential pedestrian and cycle connections from the railway station and the city core would lead to the Riverside and Leeds Bridge, through the former Tetley Brewery site via a re-opened Hunslet Road (which has been secured via a condition attached to the Carlsberg temporary car park permission ref. 11/05031/FU – this route would also be retained as a link in the future City Centre Park in any permanent redevelopment), across Crown Point Road, through this proposed College site, and then across Black Bull Street, linking to retail, leisure, food and drink facilities at New Dock.

Do Members agree that it is necessary to secure significant pedestrian and cycle connectivity improvements from all new developments in the immediate area (including this one) in order to enable safer walking and cycling routes from the railway station and bus stops to the west of the bus station in the central core, via the re-opened Hunslet Road ?

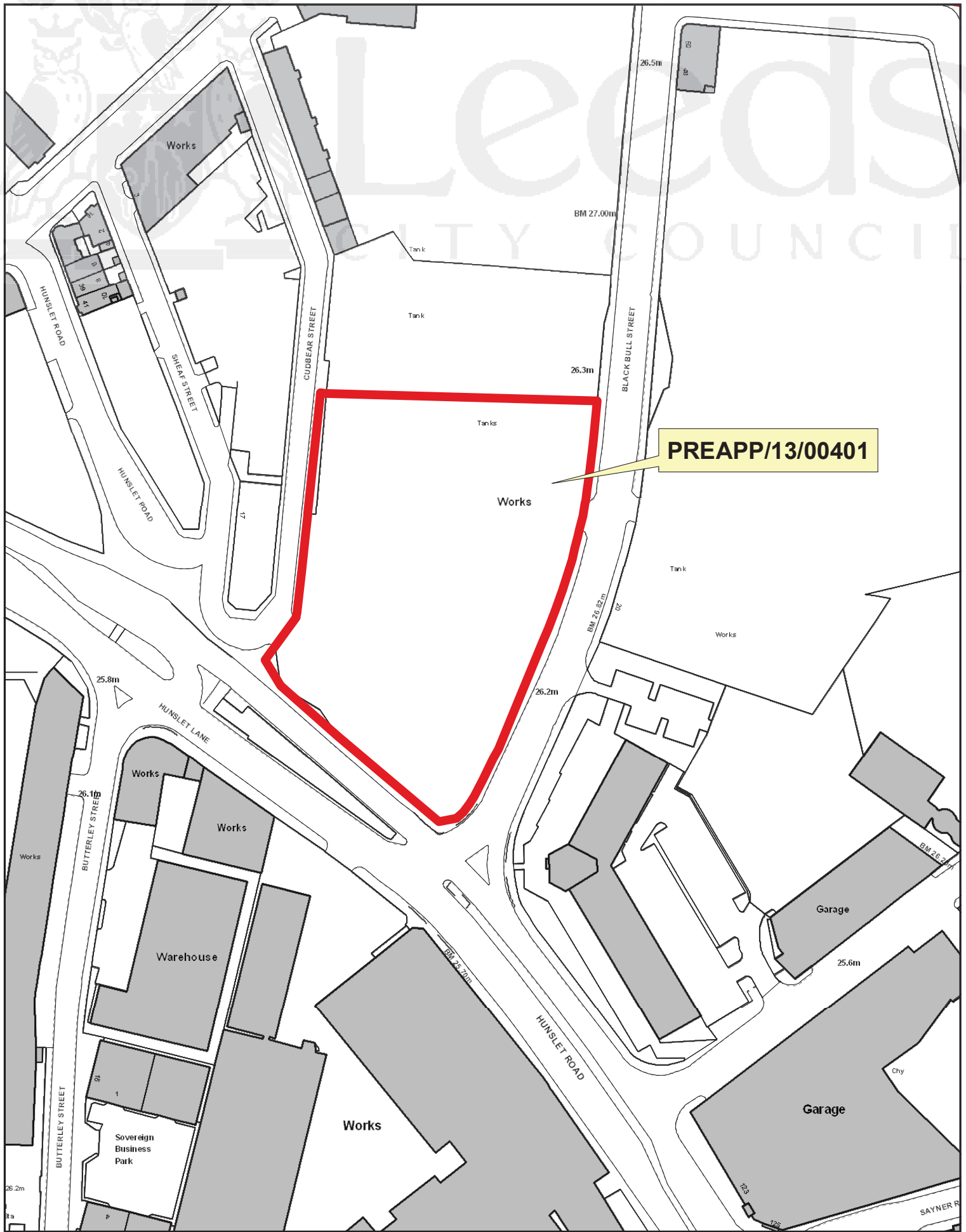
Do Members agree that in terms of pedestrian connections in this area, a new crossing on Crown Point Road should be provided with appropriate contributions from this proposal?

Background Papers:

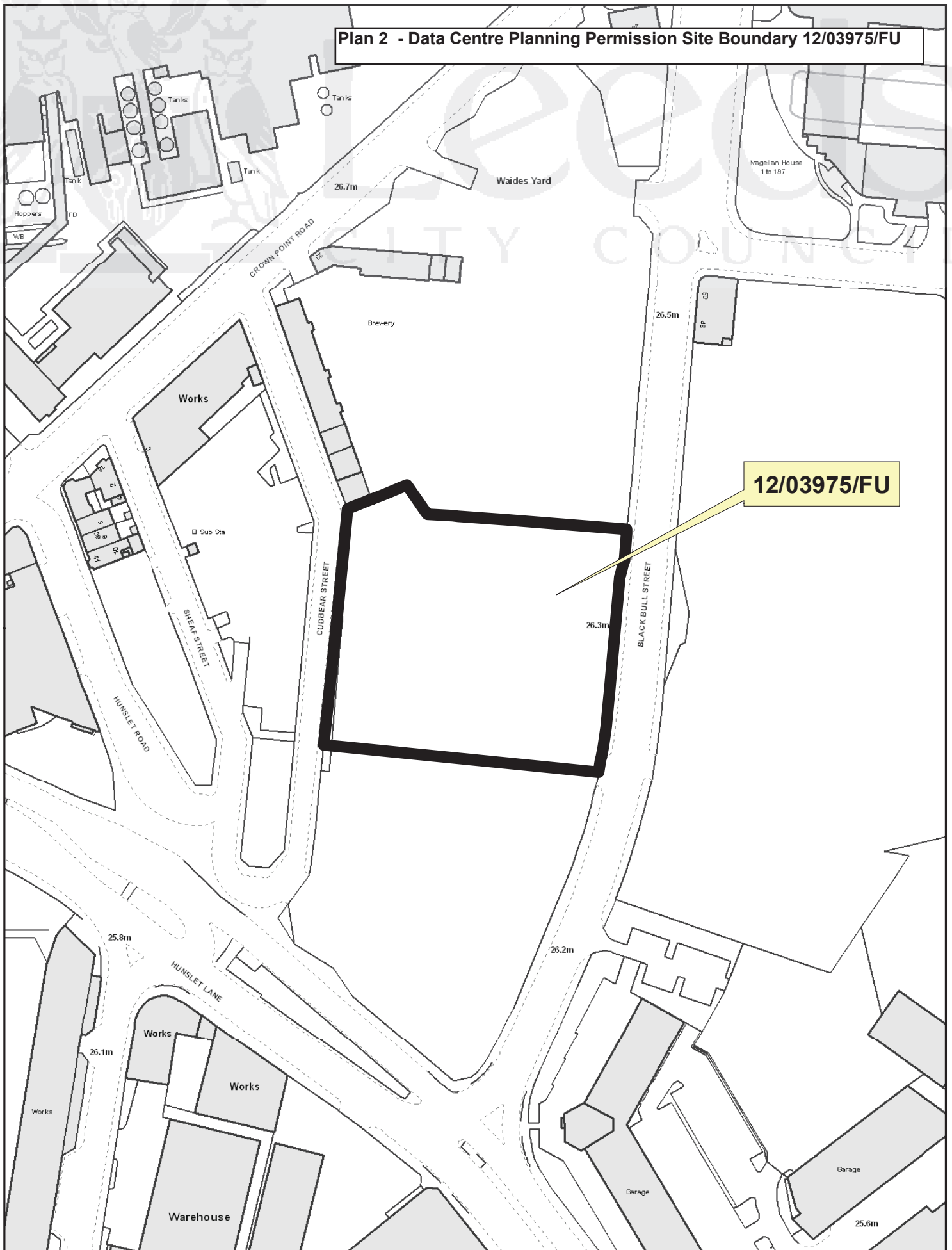
Application file 12/03975/FU
South Bank Planning Statement

Plan 1 South Bank Urban Design Principles Plan

Plan 2 Data Centre Planning Permission 12/03975/FU site boundary plan



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