

## **CITY PLANS PANEL**

**THURSDAY, 12TH DECEMBER, 2013**

**PRESENT:** Councillor N Taggart in the Chair

Councillors P Gruen, R Procter,  
D Blackburn, M Hamilton, T Leadley,  
E Nash, N Walshaw, J Lewis, R Grahame,  
M Harland and J Procter

### **119 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests; however Members brought attention to the following:

Councillor P Gruen to Item 8 - Thorp Arch Estate, Item 10 – Cottingley Springs and Item 12 – Merrion House due to his position as Executive Member.

Councillor T Leadley to Item 7 – White Rose Centre due to his position as Chair of the Morley Town Council Planning Committee and Item 10 – Cottingley Springs due to his position on Morley Town Council Planning Committee and involvement with the Lee Fair Committee.

Councillor N Taggart to Item 9 – Maxis Restaurant as he was known to the owner.

Councillor J Procter to Agenda Item 8 - Thorp Arch Estate as he had been involved with the Consultative Committee and Agenda Item 11 – Scholes PAS Site as he was known to the directors of a company involved with the application.

Councillor M Hamilton to Agenda Item 10 – Cottingley Springs as he was known to Members of GATE who had made representations.

Councillor R Procter to Agenda Item 11 – Scholes PAS Site as she was known to the directors of a company involved with the application.

### **120 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors S Hamilton, M Ingham, J Cummins and G Latty

Councillors M Harland, R Grahame and J Procter were in attendance as substitutes for their respective colleagues

## 121 Minutes

**RESOLVED** – That the minutes of the meeting held on 21 November 2013 be confirmed as a correct record subject to the following amendment:

Minute 105 – Outline application for circa 125 dwellings – Land at Owlers Farm, Wide Lane, Morley

Amend the comment in relation to Morley Town Council representation by omitting the word ‘fully’ to say ‘the Town Council felt that their comments had not been represented in the report before Panel’

Amend The public transport infrastructure sum per dwelling from £31,161 per dwelling to the correct figure of £1,161 per dwelling.

## 122 Applications 13/01640/OT and 13/02684/FU - White Rose Shopping Centre and land south of White Rose Shopping Centre - Dewsbury Road LS11

The report of the Chief Planning Officer referred to the following applications at the White Rose Shopping Centre and land south of the White Rose Centre, Dewsbury Road:

Application 13/01640/OT - part demolition and alteration of existing buildings and erect extensions to form new and enlarged retail units, Class A1, A3, A5 D2 (cinema); alterations to existing and creation of new public realm and landscaping; alterations to existing vehicular access and creation of new vehicular, pedestrian, service access; alterations to car park configuration together with infrastructure and associated works and:

Application 13/02684/FU – demolition of existing buildings and re-development of site for use as car parking with improvements to access, landscaping works and enhancements, new culvert to Cotton Mill Beck and upgrading of existing pedestrian crossing and associated works.

Further issues highlighted in relation to the application included the following:

- Members were shown photographs and plans of the site and details of where extensions would be located, new parking arrangements and access were highlighted.
- The Section 106 package including a local employment and training scheme.
- Representations including those from neighbouring authorities and other retail providers in neighbouring authority areas.
- Transport issues – impact on the highway network and car parking. No additional car parking had been proposed. The following measures were proposed:
  - Public transport contribution – in negotiation with Metro to improve bus services.

- Improvements to bus station – lighting, seating and real time information.
- Staff car park management plan – to reduce staff parking on a phased basis.
- £400,000 Travel Contingency Plan contribution.
- Off site parking would be on greenbelt land – there was a need to demonstrate very special circumstances to release use of greenbelt land.
- Following sequential and impact assessments it had been concluded that there would not be a detrimental impact on local and neighbouring retail centres, subject to relevant conditions being imposed
- Measures in the travel plan had suggested that there would be no material impact with traffic congestion.

In response to Members comments and questions, the following was discussed:

- Concern that that the £400,000 Travel Contingency Plan was not enough – it was reported that this could fund an additional 2 bus vehicles for a period of 2 years – and that the risk should be borne by the Developer and not the Council
- Impact on transport with new leisure facilities that would be operating at later times.
- The provision of extra car parking on the site – it was reported that this could not be done without having decked parking which would have financial implications.

At this stage of the meeting, the Panel went into private session to discuss the financial appraisal of the applications.

The Panel then returned to public session and the following was discussed:

- Local jobs – thanks were expressed on behalf of Councillor K Groves for her work with developers in securing jobs for local people.
- Travel contingency plan – there were concerns with the level of parking and it was suggested that the sum for the Travel Contingency plan be increased. It was felt that should there be should be future problems with congestion and other traffic related issues around the site, that the proposed sum would not be sufficient. It was suggested that further negotiation take place with the applicant regarding the Travel Contingency Plan sum.
- Lack of Sunday and evening bus services to the centre.

**RESOLVED** – That the applications be deferred for approval and referral to the Secretary of State as per the Officer recommendations outlined in the submitted report, subject to further negotiations regarding the size of the sum for the Travel Contingency Plan. It was agreed that the applications could be delegated to the Chief Planning Officer following referral subject to the completion of the legal agreement but that should a satisfactory agreement

not be achieved with regards to the Travel Contingency Plan, then a further report to be brought back to City Plans Panel

### **123 Application 13/03061/OT - Thorp Arch Estate Wetherby LS23**

The report of the Chief Planning Officer presented an outline application for residential development with associated parking, landscaping, primary school, village centre, retail development, sports pavilion, play area, amenity space and associated off site highway works at Thorp Arch Estate, Wetherby.

Members were given an update since the last consideration of the application:

- It was proposed to defer final determination subject to further work on the following:
  - Further work and analysis on junction design and traffic flows
  - Report back on viability and the composition of the Section 106 Package
  - Resolution of bus services
  - The Highways Agency lifting their Holding Direction
  - Expiry of public response period

These matters would be subject to a further report to the Panel

- Further representations that had been received since the previous consideration of the application.
- Feedback from a further meeting with the Consultative Forum and representations made by Councillor Wilkinson. Issues raised included highways works, Section 106 and Section 278 contributions, impact on the rural character of the area and street lighting. It was also suggested that low impact surfacing be used for the relief road.

Further issues highlighted in relation to the application included the following:

- The scheme could deliver up to 2,000 dwellings, a new primary school, new local shopping provision, community facilities, sports pitches and areas of open space.
- Members were given an update on the impacts at Walton Gate since last consideration of the application
- Regard also had to be had to the impact on Station House
- Sustainability issues – Section 106 Package
- Design and layout – to reflect the locality
- Landscape and ecology – retention of trees and new woodland planting. There had been some concern expressed by nature conservation officers regarding designated areas.
- Highways issues included the restricted moves junction at Church Causeway and the relief road; impact of traffic on local villages; the Wood Lane/relief road junction; provision for cycling and pedestrian accessibility
- That the applicant had submitted a viability statement which was being considered

- The addition of conditions for the use of low noise road surfacing and restrictions to the size and range of the retail units

The Panel heard from objectors to the application. The following was raised:

- It was not felt that the proposals would meet sustainability requirements.
- The proposed relief road – this was not in ownership of the applicant and would become a ransom strip.
- There had been no detail on potential contamination of the land.
- The build out rate was exaggerated and the entire development would take between 25 and 30 years.
- The proposals would not meet the current housing needs.
- Inadequate provision of affordable housing.
- Impact on highways and traffic – poor public transport provision.
- It was felt that the proposals were not viable or deliverable.

The applicant's representative addressed the Panel. The following was highlighted:

- Existing commercial and industrial infrastructure.
- Consultation process.
- A complete environmental impact assessment had been carried out.
- The proposals would contribute to delivery targets of providing new homes in the area.
- The proposals would increase employment and local economic activity as well as increasing revenue to Leeds City Council.
- The site had been identified for development within the draft core strategy.
- The application had the support of Boston Spa and Walton Parish Councils.
- The application would bring brownfield sites back into use.
- The applicant believed the proposals to be both policy compliant and sustainable.

In response to Members comments and questions, the following was discussed:

- With regards to sustainability the applicant felt issues that had not been considered by the Inspector such as the provision of a school, village centre, sports facilities and significant public transport enhancements made the scheme sustainable.
- Highways issues, in particular the restricted moves junction would be subject to further consideration. Members were shown options for this junction.
- Possibility of the Council using a compulsory purchase order for land for the relief road.

- Concern that proposals to enhance accessibility for pedestrians were not suitable to rural village areas such as street lighting, tactile paving and dropped kerbs.
- Concern of increased traffic on existing villages.
- The proposals would see the redevelopment of a brownfield site.
- Dependency on the implementation of a relief road.
- Concern regarding contamination of the site.

**RESOLVED** – To defer final determination of the application and seek Members' agreement to the scheme and associated range of measures subject to:

- Further work and analysis on junction design and traffic flows
- Report back on viability and the composition of the Section 106 package
- Resolution of bus services
- The Highways Agency lifting their Holding Direction
- Expiry of public response period

These matters would be subject to a further report to Panel

#### **124 Application 13/01198/OT - Maxis Restaurant - 6 Bingley Street LS3**

The report of the Chief Planning Officer referred to an application for the demolition of the existing building and construction of mixed use development consisting of office, hotel and use classes A1, A2 & A3 floorspace and basement car parking at Maxis restaurant, 6 Bingley Street, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

Further issues highlighted in relation to the application included the following:

- The restaurant would be located on the ground floor of the new building.
- Public realm enhancements.
- Changes since the pre-application presented to City Plans Panel.
- Members were shown indicative elevations of the proposals and 3d modelling including street scenes.
- The application was recommended for approval subject to conditions as outlined in the report.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions and any others considered appropriate and the completion of a Section 106 Agreement covering matters set out in the recommendation in the submitted report

**125 Application 13/03998/FU - Land off the west side of Cottingley Springs, Gildersome Morley LS27**

The report of the Chief Planning Officer presented an application for the laying out of a traveller site comprising 12 pitches, ancillary buildings, parking and landscaping at land to the west of Cottingley Springs, Gildersome.

The following issues were highlighted in relation to the application:

- Changes since the application were last considered by City Plans Panel including changes to the site boundary, layout, landscaping, road improvements and visual appraisal
- There were currently 41 pitches at the site on Sites A and B
- Access to the site and the layout of the amenity buildings was highlighted
- Planting that would give some screening with time to the site.
- Changes to the layout to address flood alleviation and a commitment to contribute to off-site beck improvements
- The siting in relation to St Bernard's Mill to the west which was a waste management facility and subject of a current application and ongoing discussion to improve noise and odour issues
- Children at the site usually attended schools in Morley and Armley and that School transport was provided by GRTAS – part of Children's Services
- Further correspondence from the Environment Agency and 4 further representations opposing the application were reported
- Further detailed changes were needed to the highway design and an updated cross section if Members resolved to support the application
- It was recommended to refer the application to the Secretary of State. Members were informed of the weighting being given to the various aspects of the application but that Officers considered there were very special circumstances in this case which outweighed the substantial harm and other harm identified in the report

An objector to the application addressed the Panel. The following issues were raised:

- This was an inappropriate development on Green belt land and contrary to the Development Plan
- Visual impact of the scheme.
- The proposals were not sustainable.
- Flood risk had not been fully considered.
- The scale of the site was too large – there should be smaller more manageable sites, this site had previously been reduced in size.
- Crime and fear of crime.
- It was disputed that there were no other more suitable sites.
- The harm identified was not outweighed by any very special circumstances and the application should be refused

The Director of Environment and Housing addressed the Panel. He raised the following issues:

- The Council had previously not addressed the requirements for travellers and this had led to a number of unauthorised sites.
- The proposals would site up to 12 families who would normally be situated on unauthorised sites.
- The council had considered 224 other sites, 35 of these in great detail, none of which were felt to be suitable
- Other sites were also needed but the present need was acute
- There was a changing service provision package and this could be better provided for on one site
- The toleration policy on unauthorised sites could well hit problems if no permanent provision was made

In response to Members comments and questions, the following was discussed:

- There was a preference to have permanent sites rather than unauthorised sites.
- There had been improvements in the management of this site since numbers were previously reduced – work was undertaken with the Police, Anti-Social Behaviour team and Environmental Action Teams.
- The site was set out significantly differently to when there were problems in the 1990s.
- This would not be the solution to unauthorised camps across the City. It would provide a further 12 pitches and it was currently predicted there was another need for 41 across the city by 2028.
- Beck improvements had been requested by the Flood Management and the applicant had agreed to pay for these works.
- Members were informed that should they be minded to refer the application to the Secretary of State then there could be a call-in and subsequent public inquiry.
- Concern regarding the proposals being contrary to NPPF guidelines, and the use of greenbelt land.
- Local residents were against the proposals as were existing residents of the site and others from the travelling community.
- Concern whether the proposals would meet the very special circumstances of developing on green belt land.
- It was felt that there needed to be smaller sites throughout the city.

**RESOLVED** – That the application be deferred and referred to the Secretary of State as a departure from the Development Plan subject to the receipt of a revised cross section and a detailed highway layout plan, with a recommendation that the application be approved subject to the conditions outlined in the report and agreement to pay £30,000 towards off site beck improvements given that very special circumstances exist in this case which outweigh the harm caused by inappropriate development in the green belt and



the other limited harm identified in the report. Should the Secretary of State not call in the application for determination, approval of the application to be delegated to the Chief Planning Officer.

**126 Preapp/13/01175 - Scholes PAS site - Wood Lane, Scholes and land East of Scholes - Pre-application presentation**

The report of the Chief Planning Officer introduced a pre-application presentation for residential development of up to 745 dwellings, plus new school and commercial uses at Scholes PAS Site, Wood Lane, Scholes and land east of Scholes.

The applicant's representative presented details of the application to the Panel. Issues highlighted included the following:

- Sites such as this needed releasing and developing to meet the housing requirements of Leeds.
- The pre-application consultation had been going for over 2 years and had included discussions with Parish Councils and the City Council.
- West Scholes – proposals for up to 45 homes – this had been reduced from initial proposals following consultation and amendments had been made to proposed access.
- East Scholes – this had also been reduced following consultation and proposals were for up to 700 properties including extra care bungalows and 15% on or off site affordable housing or contribution. There would also be open space, a village hub and a school site.
- Close work had been carried out with Highways and there was confidence that highway mitigation could be achieved.
- Community facilities to include a GP practice and a pharmacy.
- Wider economic benefits – the scheme would provide up to 100 construction jobs and over 100 jobs once the scheme is complete. There would also be skills and training opportunities with an established apprentice programme and graduate induction programme.
- In response to Members questions further discussion was held regarding highways and the the proposed rate of development.

The local MP, a representative of Barwick & Scholes Parish Council and a local resident addressed the Panel with objections to the proposals. These included the following:

- The proposals were premature and there were many issues still to be resolved.
- Sewerage and flooding issues had not been given full consideration – Yorkshire Water had stated there was a need for upgrades to the sewerage system.
- Highways issues – roads into the site were narrow and double parked, work was needed on the East Leeds orbital road, significant increase in traffic.

- It was felt that the proposals would not be sustainable particularly with regard to school provision, GP facilities and highways issues.
- The proposals would create a village of two separate halves.
- The site was not allocated in the UDP.

In response to Members comments and questions, the following was discussed:

- Poor public transport links – residents of the area were dependant on cars.
- Problems with flooding and sewage following the last development – the drainage system was old, damaged and could not cope with existing waste.
- Highways issues - a transport study had been submitted but not yet assessed. There would be a need to install some kind of junction control to the A64.
- Members agreed that the release of these PAS sites was premature and should be progressed through the Site Allocations DPD.

**RESOLVED** – That the report and pre-application presentation be noted.

**127 Preapp/11/00700 - Merrion House Merrion Way LS2 - Pre-application presentation**

The report of the Chief Planning Officer introduced a pre-application presentation on proposals for new and replacement offices with 3 retail units.

Members visited the site prior to the meeting and site plans and photographs were displayed. Members were given a presentation by the developer on the proposals and the following was highlighted:

- The proposals included a full refurbishment of Merrion House.
- Members were shown projected images of the proposed alterations to Merrion House
- Vehicular and pedestrian movement around the building.
- Erection of a new annexe block where there was currently a sunken open space.

In response to Members comments and questions, the following issues were discussed:

- Following concerns regarding the narrow footway outside the building, the developer stated that the new building could not be moved back due to the tenants floorspace requirements and that the entrance opposite the pelican crossing on Woodhouse Lane would be recessed so that it would not affect pedestrian movement
- Members still had concerns about the narrow footpaths and mention was also made of the potential enhancement opportunities to be provided by the adjacent NGT proposals. It was suggested

that there be further consideration given to increasing the footpath widths either through redesigning the new building and/or the adjacent carriageway

- There were mixed views on the quality of the design for the new build with some support for a more thorough contextual analysis of nearby development such as the new Hilton Hotel. It was hoped that the building design would reflect the importance of its location at a gateway to the City and the quality of other nearby developments
- The size of the roof top plant appeared excessive and needed reconsideration
- Clarity was needed on the quality of the materials to be used on the building
- Members broadly supported the principal of the uses including the new retail units to Merrion Way.
- Members sought appropriate mitigation for the loss of the designated public spaces along the Georgian Mall and within the sunken courtyard

**RESOLVED** – That the report, pre-application presentation and Members' comments be noted.

## **128 Date and Time of Next Meeting**

Thursday, 16 January 2014 at 1.30 p.m.