

CITY PLANS PANEL

THURSDAY, 27TH OCTOBER, 2016

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, D Blackburn,
T Leadley, N Walshaw, C Campbell,
A Khan, A Garthwaite, J Heselwood,
B Selby, C Macniven and B Anderson

A Member site visit was held in the morning in connection with the following proposals: Planning Application PREAPP/16/00421 – Residential development for up to 580 flats and associated public space and commercial uses at Whitehall Road, Leeds 12, Planning Application PREAPP/16/00532 – Restoration of First White Cloth Hall, Kirkgate, Leeds 2, Planning Application PREAPP/16/00428 – Proposed Student Accommodation at Tower House Street, Leeds 2 and Planning Application PREAPP/16/00385 – Proposed Creative Arts Building at Portland Way, Leeds 2 and was attended by the following Councillors: J McKenna, P Gruen, A Khan, A Garthwaite, C Macniven, T Leadley, D Blackburn, C Campbell and B Anderson

70 Chair's Opening Remarks

The Chair welcomed to the meeting students from Leeds Beckett University who were studying for degrees in Planning and Journalism.

71 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents

72 Exempt Information - Possible Exclusion of Press and Public

There were no resolutions to exclude the public

73 Late Items

There were no late items of business

74 Declarations of Disclosable Pecuniary Interests

There were no declarations of a disclosable pecuniary interest.

75 Apologies for Absence

Apologies for absence were received from Councillors: G Latty and R Procter.

76 Minutes of the Previous Meeting

Final minutes approved at the meeting
held on Thursday, 17th November, 2016

With reference to Minute No.67, last section, second bullet point, a number of Members requested an amendment to the wording, removing the words “the majority” and replacing with “in general”

RESOLVED – That, with the inclusion of the above, the minutes of the meeting held on 6th October 2016, be approved as a true and correct record.

77 Matters Arising from the Minutes

The following issue was raised under matters arising:

Minute No.68 – Position Statement – Application No’s: 16/02582, 16/02583 and 16/02584 – Following an unexpected deferral of the applications at the previous meeting, the Chair asked if any progress had been made in bringing the applications back before Panel? Members also requested to know if any kind of apology had been received from the applicant.

In responding the Chief Planning Officer reported that no formal letter of apology had been received, however, some discussions had taken place with the applicant in respect of the highway issues.

It was reported that legal advice was being obtained and due consideration would be given to that advice and the intention was that the implications of this would be communicated to Members in advance of any decision being taken.

The Chief Planning Officer said at this stage it was unclear when the applications would be brought back to Panel.

The Chair thanked the Chief Planning Officer for the update.

78 Application No. 16/02757/OT - Outline Application for the erection of a Motorway Service Area including means of access: Facilities would include a Building with viewing platform, up to 100 bedroom Hotel, Skelton Lake Visitor Centre, Fuel Filling Station, vehicle circulation and parking areas, landscaping and amenity spaces, pedestrian and cycle links, pumping station, retaining structures and associated mitigation, infrastructure and earthworks at land off Junction 45, M1 Motorway.

The Chief Planning Officer submitted a report which set out details of an outline application for the erection of a Motorway Service Area, including; means of access. The facilities would include a building with viewing platform, up to 100 bedroom Hotel, Skelton Lake Visitor Centre, Fuel Filling Station, Vehicle Circulation and Parking Areas, Landscaping and Amenity spaces, Pedestrian and Cycle links, Pumping Station, retaining structures and associated mitigation, infrastructure and earthworks to land off Junction 45, M1 Motorway.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

In providing an update, the Chief Planning officer highlighted the following changes which had been made to the report following its circulation:

Consultation responses

Para 7.18 – To clarify that Travelwise had raised no objections subject to the imposition of conditions and the relevant clauses within a Sec.106 Agreement. Their requirements are reflected in the recommendation and list of conditions.

Para. 7.23 – Yorkshire Wildlife Trust recommend that a wider joined approach be taken to bio-diversity including this site, adjacent residential site subject to the current 2015 application and the proposed additional housing site. To note that in respect of this scheme condition 32 seeks the submission of biodiversity enhancement and management plan.

Para's 2.4 & 10.20 – The scheme provides shared footways and cycleways rather than 'segregated footways and cycleways as reported.

Para. 2.4 – Clarify that the access road allows for a single bus stop layby on the outbound carriageway.

Para 10.20 - makes reference to 'The proposed access is designed to accommodate all vehicle types, including the largest abnormal loads which are permitted to travel on the road'. The access had been modelled for typical abnormal loads but not necessarily the largest, this had been agreed with highways officers.

Following the submission of the further Environmental Statement information relating to minor changes to the siting of the hotel and further highway info (trip rates/50 additional parking bays/bus layby provision) further consultation had taken place with a number of further consultation responses being received, but which raise no new issues

The Gardens Trust had written to confirm that they do not wish to comment on the application.

Representation from the Applicant

Having taken Leading Counsel's advice the applicant considers that the following points should be drawn to the attention of the Panel for the purposes of clarity and accuracy:

Para 8.1 add to the end:

Compliance with the Development Plan should be assessed by reference to the Development Plan read as a whole.

Para 8.4 – Add to the end of the paragraph:

The draft AVLAAP is a material consideration in the determination of the application.

Before Para 10.1 add a new paragraph as follows:

The Development Plan policies as set out earlier in this report had been considered, however, those relating to employment land are considered to be the most important and are referred to further in the following paragraphs. Overall it is concluded that the proposed development does comply with the Development Plan when read as a whole.

Para 11.1 add the following sentence:

It is considered that the application complies with the Development Plan when read as a whole.

Para 11.6 replace the final sentence with the following:

Although the proposed development was considered to comply with the Development Plan read as a whole it did represent a departure from one of the saved policies of the UDP (Policy E4) and as a consequence needs to be referred to the Secretary of State as a departure from the Development Plan before permission can formally be issued.

In response to queries raised on the approach to the development plan, the Legal Officer commented that Leading Counsel was correct to say that in assessing compliance with the development plan it was necessary to consider the plan as a whole and the officer had set out his views on the issue of compliance in the submitted report. In any event (and as highlighted by the applicant), this was a departure from the development plan which required the application to be referred to the Secretary of State

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

- Members welcomed the design of the Motorway Service Area
- The multi-faith room should be located on the ground floor to aid people with disabilities
- Members questioned if there was adequate car parking / HGV spaces and staff travel provision designated for the proposed development
- Clarification was sought around air quality monitoring
- Noted that biodiversity issues would be included in the Reserved Matters application
- Members welcomed the employment and training opportunities the development would bring to locality

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report and following referral of the application to the Secretary of

State as a Departure from the Statutory Development Plan and should the Secretary of State decide not to call in the application for determination, the Chief Planning Officer be authorised to secure the completion of a Section 106 agreement to include the following:

- Travel Plan and Monitoring fee (£3,540)
- Local Employment and Training Initiatives
- Traffic Regulation Order (£25,000)
- Bus stop (Pole) contribution (£500)
- To ensure the provision of a bus route through the site

In the event of the Section 106 Agreement not being completed within 3 months of the Panel resolution to grant planning permission, final determination of the application be delegated to the Chief Planning Officer

79 PREAPP/16/00532 - Proposal for the repair and restoration of the First White Cloth Hall, Kirkgate, Leeds.

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for the repair and restoration of the First White Cloth Hall, Kirkgate, Leeds.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The applicant's representative addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The First White Cloth Hall was built in 1711
- The building was listed Grade II* in 1983
- The building was in a poor condition and was listed on Historic England's at Risk Register
- The proposal was to reinstate the west wing to its pre-demolition form, reinstate the arcading to the inner courtyard, retain and repair the Kirkgate frontages, introduce high quality modern design in the form of a glazed atrium and introduce a modern rainscreen treatment to the southern elevation
- It was reported that extensive consultation had taken place
- Impact of the proposal on the special architectural character and historic interest of the Grade II* First White Cloth Hall and the City Centre Conservation Area
- The proposed uses of the building

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

- Responding to a question as to the accuracy of the basement plan, it was confirmed that the footprint was accurate.

- It was acknowledged that the building was in a poor condition and could be lost if works were not undertaken in the near future
- The Council needs to expedite efforts to acquire the site from the owners, including by means of a Compulsory Purchase Order, if necessary
- Original materials to be used wherever possible
- The need to consult with the Licensing Section (Entertainment Licensing) if considering Bar/ Restaurant use
- Discussions should take place with the Highways Department and Metro with a view to improving and enlarging the pavement areas in front of the site and addressing the adverse impact of the considerable bus traffic along Kirkgate

In drawing the discussion to a conclusion Members provided the following feedback

- Members considered that the proposed development was acceptable in principle
- Members were of the view that the building was in a poor condition and could be lost if works were not undertaken in the near future
- Members expressed the view that the process of acquiring the site by means of a Compulsory Purchase Order should be expedited

RESOLVED –

- (i) To note the details contained in the pre-application presentation
- (ii) To support the preferred option prior to the submission of detailed design
- (iii) That the Chair be authorised to write to the Director of City Development requesting that the process of acquiring the site by means of a Compulsory Purchase Order be expedited
- (iv) That the developers be thanked for their attendance and presentation

80 PREAPP/16/00421 - Proposed residential development comprising approximately 567 apartments, the repair and refurbishment of the grade II listed viaduct to create a new elevated public park and a mix of commercial units within the viaduct arches on Land at Monkbridge, Whitehall Road, Leeds, LS12 1BE

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for residential development comprising approximately 567 apartments, the repair and refurbishment of the Grade II Listed Viaduct to create a new elevated public park and a mix of commercial units within the viaduct arches on land to the former Doncaster Monkbridge site, Whitehall Road, Leeds, LS12 1BE.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The applicant's representative addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The proposed development was for approximately 567 apartments in five buildings (262 one bedroom, 276 two bedroom and 29 three bedroom)
- The buildings would range from 12 to 21 storey's in height
- The listed viaduct would be repaired and enhanced to provide a new elevated landscaped public park that would connect the Wellington Place development to the east, with a physical mechanism for achieving the link to still be agreed
- There would be 5,500sqm of public open space within the site consisting of a majority of the top of the viaduct with a further 3,700sqm of private communal space for the residents of the private sector apartments
- The arches to the viaduct would be repaired and refurbished to provide new commercial space including retail units, cafes, bars and restaurants with the triangular area between the 2 viaducts limbs proposed to provide a glazed covered space and a physical connection between the viaduct level and the lower general site level.
- Car parking would be provided beneath each of the buildings with a total number of spaces proposed being 119
- Servicing would take place from a single loop road and 2 spurs off this, which would pass beneath the buildings and utilizing 2 of the arches for access points.

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

- It was noted that the intention was to begin work on-site from July 2018 with a 3 year completion period
- Public access to the site would be gained following completion of Phase 1 stage
- Community safety through design was an important issue (passive supervision)
- Further consideration of the housing mix was required, was there enough family sized 3-bed units
- Important to have good design and the use of quality materials
- Development located on the edge of the city centre, how would residents get to work/ school, further information required on the level of car parking provision
- Quality landscaping scheme required
- Noted that maintenance of the public realm would be undertaken by the developers
- The need to mitigate for the potential impact on the biodiversity and ecology of the site

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the heights and footprint of the building generally achieved all of the objectives, as set out in the submitted report, including the relationship to the existing units at City Island
- Members were supportive of the approach to connect to the footbridge over the Inner Ring Road
- Members were supportive of the approach to housing mix, subject to clear justification for the number of family sized apartments being created
- Members required more information as to how residents would get to work/ school, further information was required on the level of car parking provision

RESOLVED –

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

81 PREAPP/16/00428 - Proposal for the redevelopment of Hume House, Wade Lane, Merrion Way and Tower House Street, Leeds to form a 40 storey student accommodation building

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for the redevelopment of Hume House, Wade Lane, Merrion Way and Tower House Street, Leeds to form a 40 storey student accommodation building.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The applicant's representative addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The proposal was to demolish the existing building and to construct a 40 storey (126 metre) tower.
- The proposed use would be for student accommodation, housing between 750 and 800 students depending on the mix of cluster rooms and studios
- Commercial space and student amenities to be accommodated on ground, first and second floors (Gym identified at level 39)
- Impact on neighbouring properties
- Public realm and servicing
- Wind (CFD modelling)

- It was the view of the Leeds Civic Trust that the proposed site was the best location in the city for a tall building

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

- This would be a very prominent development and a high quality design was required at this location
- Use of quality materials was required
- Further details about energy efficiency and sustainable design were required
- Size of the rooms appeared to be lower to that normally expected
- An understanding of student arrivals and departures was necessary
- An understanding of the buildings relationship to, and impact on neighbouring properties in particular the windows to the Opal 3 student development was required
- Further research in respect of the wind implications was necessary
- A suggestion that the building be “slid” a small distance to the south was made, but this would be subject to acquiring the necessary land

Reference was made to the “Tall Buildings Strategy” and the need to stage a Members workshop on the issue.

In responding the Chief Planning Officer said officers were currently reviewing the tall buildings strategy and it was intended a Members workshop would be arranged once the necessary preliminary work had taken place.

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the proposed student use was acceptable in principle
- Mixed views were expressed about the scale of the proposed new building and its relationship with the surrounding context
- In respect of the emerging architectural approach, Members were of the view that a slim tall building was acceptable in this location but emphasised the need for a good design and the use of quality materials
- Members required more information about the proposed development and its relationship with neighbouring properties (the Opal 3 student development in particular)
- Members considered that the development should deliver public realm improvements beyond the immediate site boundary

RESOLVED –

- (i) To note the details contained in the pre-application presentation

- (ii) That the developers be thanked for their attendance and presentation

82 PREAPP/16/00385 - Proposed new Centre for Creative Arts for Leeds Beckett University, Portland Way and Calverley Street, Leeds

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for a new Centre for Creative Arts for Leeds Beckett University, to land at Portland Way and Calverley Street, Leeds 1.

Site photographs and plans were displayed and referred to throughout the discussion of the application.

The applicant's representative addressed the Panel, speaking in detail about the proposal and highlighted the following:

- The building would comprise of a series of interlocking volumes situated above a deep basement
- The building would range in height from 5 to 9 storey's
- The building would contain: TV studio, Acoustic testing lab, Theatre, Prop store and workshops, Black box studio, recording studios, Fashion studios, Performance studios, Film studios, Ensemble rooms, Production offices, Social Learning and Café, Cinema, Teaching space, Academic and staff offices and Computer Labs
- Two principal entrances to the building. A city entrance located close to the junction of Calverley Street and Portland Way and a student entrance, located at the northern end, close to the Portland Building
- Vehicular access into a loading bay would be taken from Calverley Street.
- The areas between the building and the highway would be laid out as extended public space, potentially including street trees.

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

- The proposed development was in a prominent corner plot and the use of quality materials and an imaginative lighting scheme was important at this location
- Members queried the close proximity of student residential accommodation adjacent to the development
- It was noted that the site was the subject of a lapsed planning permission for a hotel development
- Any trees removed during the construction of the development should be replaced on the basis of 3:1

In drawing the discussion to a conclusion Members provided the following feedback

- Members were of the view that the proposed development was acceptable in principle
- Mixed views were expressed about the scale and position of the proposed new building and its relationship with the residential accommodation
- In respect of the emerging architectural approach, Members were of the view that a high quality design was necessary in this location
- Members were of the view that a hard and soft landscaping scheme needs to fully mitigate for any tree loss (3:1) and that an attractive setting for the new development and wider street scene should be produced

RESOLVED –

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

83 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Thursday 17th November 2016 at 1.30pm in the Civic Hall, Leeds.