

## **CITY PLANS PANEL**

**THURSDAY, 8TH DECEMBER, 2016**

**PRESENT:** Councillor J McKenna in the Chair

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

A Member site visit was held in the morning in connection with the following proposals: Land at Thorpe Park, Temple Newsam (Application No.16/02381/RM), Land east of junction 45 of the M1 Motorway, Application No.15/07655/OT), Central Park, New Lane, Leeds 1 (PREAPP/16/00308) and Midland Mills, Silver Street, Leeds 1 (PREAPP/15/00859) and was attended by the following Councillors: B Anderson, J McKenna, T Leadley, C Campbell, D Blackburn and C Macniven.

### **94 Chair's Opening Remarks**

The Chair announced that today's meeting would be the final occasion Afreen Hussain would be in attendance. Afreen was the Panel's Technical Services Officer a role which she had undertaken for the past four years although she had worked in City Development for ten years.

The Chair said Afreen would be moving to the City Museum Services where she would assume the role of Museums visits assistance.

Members joined the Chair in wishing Afreen their best wishes for the future.

### **95 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents

### **96 Exempt Information - Possible Exclusion of Press and Public**

There were no items where it was considered necessary to exclude the press or public from the meeting due to the confidential nature of the business to be considered

### **97 Late Items**

Although there were no formal late items, However the Chair did accept the inclusion of supplementary information (a revised site boundary plan) in respect of Application No.15/07655/OT (Agenda Item No.8) – Minute No. 102 referred.

**98     Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interest made at this point in the meeting, however a declaration of interest was made later in the meeting (Minute No.106 refers)

**99     Apologies for Absence**

Apologies for absence were received from: Councillor B Selby and Councillor G Latty

**100    Minutes of the Previous Meeting**

**RESOLVED** – That the minutes of the meeting held on 17<sup>th</sup> November 2016, be approved as a true and correct record.

**101    Matters Arising from the Minutes**

With reference to Minute No.92, Councillor Campbell informed Panel Members that he had investigated the applicant's suggestion that an access lift could not be provided to negotiate the change in level from Eastgate to the main entrance due to flood risk issues. He said he had become aware that lifts were available on the market which could be installed in these circumstances. He requested that the issue be raised again with the applicant but not to delay the determination of the application.

The Chief Planning Officer agreed to take up this matter with the applicant

**102    Application No15/07655/OT - Outline planning application for the creation of a new community comprising up to 1,100 dwellings, a new food store (A1) a new local centre (A1-A5 and D1 and D2), a new school and areas of public open space, together with the means of vehicular access at land to the east of Junction 45 of the M1 Motorway and to the south of Pontefract Lane, Leeds.**

The Chief Planning Officer submitted a report which set out details of an outline application with all matters reserved except the means of access for the creation of a new community comprising up to 1,100 dwellings, a new food store (A1) (up to 2,000sq.m) a new local centre (A1- A5 and D1 and D2) (up to 1,300sq.m), a new school and areas of public open space, together with the means of vehicular access at land to the east of junction 45 of the M1 Motorway and to the south of Pontefract Lane, Leeds.

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

Addressing the proposal the Chief Planning Officer highlighted the following:

- The site is currently identified as employment land in the development plan but in the Aire Valley Leeds Action Plan which is due to be examined in January 2017 is now proposed as housing
- The land was classified as greenfield following its restoration back to agricultural use following opencast coal mining operations
- Colton Beck runs through the middle of the site and Skelton Lake is to the south west, with the River Aire and Calder navigation corridor running some distance away to the south of the site. The site at various points is within flood zones
- Site will include a number of water features to alleviate flooding issues
- Construction of a bridge to south
- No statutory consultees had objected to the proposed form of development
- The adjoining landfill site operated by Biffa would remain operational until April 2018 with restoration works ongoing until April 2023
- 4m high acoustic barrier to be provided
- Air quality monitoring to be undertaken
- Ecology links to other areas of greenspace/ lakes
- School provision – the reservation of sites for primary and secondary schools and a cash contribution to the primary school triggered at the occupation of 300 dwellings as part of the Section 106 Agreement
- Sustainability – Proposed district heating network

The Panel then heard from representatives of the Oulton and Woodlesford Neighbourhood Forum & the Oulton Society who were concerned about the proposal to use Pontefract Lane as an access route and the potential for increased traffic and for rat running to /from the motorway.

The Panel also heard from the applicant's agent and also the developer who reported that the proposal was the subject of a pre-application presentation to City Plans Panel on 17<sup>th</sup> December 2015, and Position Statement presentation to City Plan Panel on 8<sup>th</sup> September 2016, on each occasion the application was modified to reflect the views of the Panel.

Responding to the highways concerns raised by the representatives of the Oulton and Woodlesford Neighbourhood Forum & the Oulton Society, it was reported that highway issues would be controlled by the use of traffic regulation orders.

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

- Could the time limit of 5 years for the submission of the reserved matters be reduced – for example to 12 months
- The submission of a sound insulation scheme
- Opportunities and arrangements for transporting children to school(s)
- Air quality monitoring
- Would residents be able to grow vegetables (allotment provision) given the site was a former opencast site

- Impact on residential amenity (noise and smell) from the adjacent landfill site
- Trigger point for the provision of the primary school
- Opportunity for combining the proposed shuttle bus service with that to be provided by the adjacent motorway service station proposal

Responding to the issue of a 12 month period for the submission of the first reserved matters application, the Chief Planning Officer said this was an extensive site with complicated ground conditions. A time limit of 12 months was likely to be impractical but 3 years may be achievable and would be accompanied with a phasing of works programme.

On the issue of a sound insulation scheme, it was reported that the design process for a noise barrier was currently ongoing.

Detailed dialogue was required with Children's Services around the transporting of children to schools. The Section 106 Agreement would include obligations to facilitate a school bus service pending the establishment of on-site provision.

Provision of air quality monitoring would be achieved by an air quality assessment and conditioned as part of reserved matters application

Soil testing would be undertaken and would also be conditioned as part of the reserved matters application

The submission of a sound insulation scheme (for all uses) would be provided as appropriate

Officers reported that the occupancy of 300 dwellings would be required before a primary school was needed so the Section 106 Agreement trigger reflected this.

In summing up the Chair said that there appeared to be a good deal of support for the proposal.

The Chair thanked all parties for their attendance and contributions

## **RESOLVED –**

That the application be deferred and referred 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, approval be delegated to the Chief Planning Officer subject to an amendment of condition 2 referred to in the report requiring submission of the first reserved matters within 3 years, the other conditions referred to in the submitted report, any revisions or additional conditions required by the Chief Planning Officer and following the completion of a Section 106 agreement to secure the following:

- A contributions of £3,269,554.75 for the provision of a primary school

- The provision of land for the siting of the primary and secondary (through) school
- Agreement to provide or contribute financially to a schools bus service to take pupils off site before on site provision had been established.
- Affordable housing provision of 15% of the dwellings
- A 10 year shuttle bus contribution to fund service between the Templegate Park and Ride and the development site
- Provision of bus stop facilities within the site
- A Travel Plan monitoring and evaluation fee
- Sustainable Travel Fund (figure to be agreed)
- The employment and training initiatives for local people
- Defined publicly accessible areas (including future maintenance)
- Long term management strategy/contribution (to include warden facility at Skelton Lake) to secure biodiversity, habitat and educational improvements
- Funding to secure Traffic Regulation Order to address access and reduced speed limits along Pontefract Lane
- Provision of an area not less than 0.33 hectares for the development of a local centre in the location identified in the D&A. The centre to make provision for space to facilitate a range of services including; retail, health and community uses.

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

**103 Application No. 16/02381/RM - Reserved matters application for retail/leisure plot/phase of the Thorpe Park development including the appearance, landscaping, layout and scale of development for the erection of a series of buildings providing retail and leisure floorspace (Use Classes A1, A2, A3, A4, A5 & D2) together with associated ancillary facilities, servicing, access, parking, landscaping & public realm, pursuant to outline planning permission 15/06583/OT**

The Chief Planning Officer submitted a report which set out details of a reserved matters application for retail/ leisure plot/ phase of the Thorpe Park development including the appearance, landscaping, layout and scale of development for the erection of a series of buildings providing 27,833sqm (299,602sqft) of retail and leisure floor space (Use Classes A1, A2, A3, A4, A5 & D2) together with associated ancillary facilities, servicing, access, parking, landscaping & public realm, pursuant to outline planning permission 15/06583/OT

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

Addressing the proposal the Chief Planning Officer highlighted the following:

- Parking provision, main access points and transport routes
- Thorpe Park – appearance
- Hardstanding to scheme plus lighting scheme
- Landscaping and tree planting
- Sustainable design strategy
- Use of quality materials; lime stone, marble and mirrored steel
- Retail use, cinema, gym and restaurants
- Potential future rail halt

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

- This is an important scheme for East Leeds
- Welcome employment opportunities
- The provision of a recycling area was required
- Provision of trees in the car park to be considered
- Electrical charging points to be provided

Responding to the provision of trees in the car park, the Chief Planning Officer reporting that planting in the car park area would consist of coppice and shrubs, as there was some concern that trees could obscure the visibility of key elements of the retail scheme from the new link road.

Officers reported that a recycling area and electric charging points would be provided by condition

In summing up the Chair said that there appeared to be a good deal of support for the application.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to: further clarification and information in relation to parking provision, the realignment of the roundabout south of the site, and the retention of the east/ west footpath/ cycleway to the south of the retail and leisure elements

**104 Application No.16/01322/FU - Proposal for Student Residential Accommodation Building Comprising 87 Studio Flats, including Ancillary Communal Facilities and Retail Unit, Associated Landscaping and Car Parking at 46 Burley Street, Leeds LS3 1LB**

The Chief Planning Officer submitted a report which set out details of a proposal for student residential accommodation, comprising 87 studio flats, including ancillary communal facilities and retail unit, associated landscaping and car parking at 46 Burley Street, Leeds, LS3 1LB

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

Addressing the proposal the Chief Planning Officer highlighted the following:

- The application was previously considered by City Plans Panel on 8<sup>th</sup> September 2016 where it was deferred to allow further discussion on design issues
- The applicant had now submitted revised plans
- The proposed building form had been amended 4 storey's rising to 8, to help break down the perceived mass
- The elevation treatment had been revised

It was reported that further representations had been received from a resident of Headingley and the South Headingley Community Association which raised no new issues.

The Panel then heard from local residents Mr B McKinnon and Mr R Hellawell who were objecting to the revised plans to the scheme suggesting they did not address earlier objections in relation to height and massing

The Chief Planning Officer reported that it was the view of officers that the proposed height and mass would be compatible within the character of the area

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

- Rutland Mount – Trees to be planted at ground level, not in tree planters and Yorkstone paving to be used
- There was a strong preference for blue cladding to the eastern and western ends of the building (To be covered by condition)

The Chair thanked all parties for their attendance and contributions

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in Appendix 1 of the submitted report (and any other which might be considered appropriate) and following the completion of a Section 106 agreement to include the following obligations:

- Use of residential accommodation only by students in full-time higher education
- Restrictions on student car parking
- Co-operation with local employment and training initiatives
- Section 106 management fee (£750)

In the event of the Section 106 agreement having not been completed within one month of the resolution to grant planning permission, final determination of the application be delegated to the Chief Planning Officer

## **105 PREAPP/16/00308 - Pre-Application Proposal for mixed use multilevel development in a number of blocks ranging from 8-14 storey comprising**

**offices, residential, hotels, leisure/ancillary use at Central Park, New Lane, Leeds.**

The Chief Planning Officer submitted a report which set out details of a Pre-Application presentation for a proposed mixed use multi-level development in a number of blocks ranging from 8-14 storey's comprising offices, residential, hotels, leisure/ ancillary use at Central Park, New Lane, 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 application site is located to the south of Great Wilson Street, to the east and north of Victoria Road and to the west of Meadow Lane in Leeds City Centre
- Safeguarding Direction in place - HS2 Ltd would need to be consulted if application was to proceed
- The development will consist of 8 buildings ranging in height from 8-14 storey's based around a Central Park - 4 blocks of B1 office development, 300 bed two star hotel and a 300 bed four star hotel, 200 residential apartments and retail/food/drink uses at ground floor level
- Vehicular access and egress is proposed using a one-way system with vehicles entering the site from the New Lane/Victoria Road junction and exiting through the proposed car park to the New Lane/ Meadow Lane junction. Servicing /drop off would use the one-way system and follow a dedicated controlled access service route around the perimeter of the public square at ground level
- Comprehensive traffic impact assessment to be undertaken
- 515 basement car parking spaces are proposed
- Connectivity, road network and public realm
- Landscaping strategy to be developed
- Wind assessment to be undertaken

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

- Members were of the view that the proposal for mixed use was acceptable
- Consider relocating the residential element to Great Wilson Street, away from the noisier road frontages
- Potentially high noise levels on Meadow Lane
- Provision of a green buffer (grass and trees)
- Contribution to City Park
- A wind study to be undertaken to ensure wind speeds were acceptable at street level



- On the operation of the Safeguarding Direction, this means that, except where a type of application for planning permission is exempted, LPAs must consult HS2 Ltd on any application for planning permission, or undecided applications for planning permission, which fall within the safeguarded areas of HS2, HS2 Ltd must then respond to these consultations within 21 days, or by an agreed date. If HS2 Ltd objects to a planning application and the LPA is minded to approve it, they must first notify the Secretary of State for Transport. The Secretary of State then has 21 days to either notify the LPA that he has no objections to permission being granted, or issues a direction restricting the granting of planning permission for that application

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

- Members were supportive of the principle of the proposed development
- Members were supportive of the indicative scale and layout of the emerging development, however, further consideration of the positioning of the residential units was required, further articulation of the blocks, a suggestion that more height could be considered in return for the provision of more green space, particularly to the road frontages
- Access and egress needs to change to in and out only from Victoria Road and a comprehensive traffic management plan be put in place

#### **RESOLVED –**

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

#### **106 PREAPP/15/00859 - Pre-application proposal for a predominantly residential scheme, including the refurbishment of Midland Mills with a new 27 storey Tower with associated landscaping at Midland Mills, Silver Street, Holbeck, LS11 9YW.**

The Chief Planning Officer submitted a report which set out details of a Pre-Application presentation for a predominantly residential scheme, including the refurbishment of Midland Mills with a new 27 storey tower with associated landscaping at Midland Mills, Silver Street, Leeds, LS11 9YW

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 site is surrounded by a number of historical former industrial buildings set within the Holbeck Conservation Area

- The proposed development seeks to provide residential and commercial uses within the refurbished Midland Mills, including the creation of 1 studio apartment, 13 one bedroomed apartments and 11 two bedroom apartments in the former mill buildings. In addition further residences in a 27 storey tower adjacent to Midland Mills, housing ground floor Commercial uses with 180 apartments above (3 x 3 bedroom, 82 x 2 bedroom and 95 x 1 bedroom units
- 25 undercroft car parking spaces with further cycle parking spaces to be provided
- Design, massing, scale and layout
- Midland Mill would undergo sensitive refurbishment works
- Sustainable development
- Wind assessment to be undertaken

(At this point in the proceedings Councillor B Anderson declared an interest. Councillor Anderson informed the Panel that he was an acquaintance of the developer. He withdrew from the meeting and took no part in the discussion or voting thereon)

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

- Good design and use of quality materials was required
- A desire for public realm linkages to be extended to the disused railway viaduct
- Access to be gained from Water Lane through the arch of the viaduct
- Retention/ enhancement of the existing cobbled area
- A need for Members to understand the changing city centre skyline
- A need to relocate the existing businesses

Responding to the comment “a need to understand the changing city centre skyline” the Chief Planning Officer said that a Members Workshop was planned for the New Year to deal with the tall buildings strategy. Given the location of this site together with the South Bank Masterplan, it may be appropriate to extend the workshop to cover wider principals of various proposals

Members were supportive of the Chief Planning Officers suggestion

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

- Members were supportive of the principal of the proposed development and considered it appropriate to Holbeck Urban Village
- Members generally supported the principle of the emerging scale, massing and design of the proposal, however, further details were required

- Further details about the proposed landscaping scheme were required and Members requested that the cobbles to the Midland Mill courtyard area be retained
- Members were generally supportive of the emerging car and cycle parking provision/ arrangements with the inclusion of provision of electric car charging points
- The proposal to cross –fund restoration works for Midland Mill were supported and to be secured through the provision of a Section 106 Agreement
- Further clarification around deliveries to the site (e.g.deliveroo) were required

**RESOLVED –**

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

**107 Date and Time of Next Meeting**

**RESOLVED –** To note that the next meeting will take place on Thursday, 12<sup>th</sup> January 2017 at 1.30pm in the Civic Hall, Leeds.