

CITY PLANS PANEL

THURSDAY, 13TH FEBRUARY, 2014

PRESENT: Councillor N Taggart in the Chair

Councillors P Gruen, D Blackburn,
M Hamilton, S Hamilton, G Latty,
T Leadley, E Nash, N Walshaw, M Ingham,
J Cummins, J Lewis and A Castle

140 Chair's opening remarks

The Chair welcomed everyone to the meeting
In respect of agenda item 11, Application 13/05423/OT – Land off Bradford Road East Ardsley, the Chair stated that the report was being withdrawn from the agenda, to enable Officers to take full account of the Core Strategy Inspector's recently received letter and proposed modifications which may have a bearing on the proposals

141 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests, however in respect of application 13/00902/OT – Land at Owlars Farm Morley – Councillor Leadley brought to the Panel's attention his membership of Morley Town Council which had commented on the proposals (minute 145 refers)

142 Apologies for Absence

Apologies for absence were received from Councillor R Procter. The Chair welcomed Councillor Castle who was substituting for Councillor Procter

143 Minutes

RESOLVED – That the minutes of the City Plans Panel meeting held on 16th January 2014 be approved

144 Matters arising

With reference to minute 134 of the City Plans Panel meeting held on 16th January 2014, - Application 13/03998/FU – land to the west of Cottingley Springs LS27, reference was made to a recent decision made by the Secretary of State to refuse an application for traveller pitches on a Green Belt site at Castle Gate, Wakefield. The Chief Planning Officer stated that he

was aware of the decision which had been made after the Cottingley Springs application had been considered by Panel, and that it was for the Secretary of State to decide what he would take into account when considering the application at Cottingley Springs

145 Application 13/00902/OT - Outline application for residential development on land at Owlars Farm Wide Lane Morley LS27

Further to minute 105 of the City Plans Panel meeting held on 21st November 2013, where Panel supported the application in principle and resolved to defer and delegate approval of an outline application for residential development subject to conditions, completion of a S106 Agreement and to satisfactorily resolve the access arrangements, Members considered a further report of the Chief Planning Officer

Plans and photographs were displayed at the meeting

The Head of Planning Services presented the report; outlined the proposed access arrangements and confirmed that the red line boundary of the site had been amended to include the adjacent 10m buffer strip

Details about the extent of the landfill which would be necessary and the gradients on the site were provided and proposed additional conditions set out in the report were highlighted to Members

Local Ward Members continued to have concerns about the proposals and an additional representation from Councillor Varley was read out to Members

The Chair advised that the application had been returned to Panel to consider the access arrangements and that the focus of debate should be limited to this matter

The Panel heard representations from Councillor Finnigan and the applicant's agent which included:

- the continued concerns of Ward Members about the access
- that further consultation and negotiation should take place with Ward Members
- the gradients proposed and whether these could be achieved
- the highway implications of the proposals, particularly on Wide Lane
- flooding issues
- the need for clear, strict planning conditions which would be enforced if breached
- that the applicant had attempted to meet the concerns of Ward Members
- that it was felt the proposed gradients could be achieved
- that any planning conditions imposed would be met

Members discussed the report and commented on the following matters:

- the gradients proposed and whether Highways Officers were satisfied these were appropriate. The Transport Development Services Manager stated that the gradients proposed were

within guidelines and that the 1:16 gradient would not cause a problem for vehicles

- the impact of the scheme on the residents at Bedale Court and that the proposed access arrangements were not the best solution
- concern that incorrect plans had initially been sent to Morley Town Council in error

The Panel considered how to proceed

RESOLVED - Having considered the additional information in relation to the access to the site to defer and delegate approval to the Chief Planning Officer in accordance with the resolution at City Plans Panel on 21st November 2013, subject to the specified conditions; the completion of a Section 106 Agreement and subject to the additional conditions set out in the submitted report

146 Applications 13/03970/FU and 13/03971/LI - Planning and Listed Building consent for the change of use of offices, involving alterations and new second floor to annex to rear to form 5, two bedroom flats, 5 studios and 4 duplex apartments; one retail unit (A1) and one commercial unit (A1-A3) - 22 - 23 Blenheim Terrace LS2

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

Officers presented a report which sought a change of use, alterations and extensions to 22-23 Blenheim Terrace, originally two detached houses dating from the 1830s which had been merged together

Several feature details would be reinstated as part of the scheme, these being the replacement of copings on the front boundary wall to match the originals; reinstatement of the doorway; reinstatement of chimney pots and reinstatement of the gate piers. A reduced amount of car parking to the front of the site would also improve the general setting. Internally, some of the sub-dividing walls would be reintroduced to reinstate the original floor plan

Members were informed that initially the proposals had been for 25 dwellings but this had been reduced to 14. In terms of room spaces, whilst some of these would benefit from being larger than proposed, on balance, Officers felt the scheme was acceptable

Members commented on the following matters:

- the outlook from the flats located at the rear of the property and the proximity of the nearby building on Marlborough Grove. Members were advised that some flats benefitted from a better outlook than others; that there was a distance of approximately 8m between the flats and adjacent property; that there were no minimum standards for space around dwellings for City Centre accommodation; that as a general rule, the width of Park Row, i.e. 15m was considered to be appropriate for facing windows, but due to the tighter context of this particular area and the orientation of the proposed windows to existing gable ends, a distance of 8m was felt to be acceptable

- the residential accommodation and who it would be aimed at. At the request of the Chair, the applicant's agent who was in attendance advised that the accommodation would be general, C3 use and would be likely to cater for young professionals; key workers and students
- the lack of symmetry at the front of the building. The possibility of reversing the steps could be considered but there was still a requirement for a platform lift for disabled access to the retail unit
- that the retail and commercial elements could be considered acceptable
- that much of the residential accommodation was cramped with the view being that too many units were being proposed for the site
- concerns about the accommodation being proposed in the roof space and whether there was sufficient height to enable this to be suitable
- the need for further details to be provided on the treatment to the rear of the property; that this was in a Conservation Area and this should be reflected in the proposals
- that there was a need for the Authority to review all of its Conservation Areas and the buildings within them
- the lack of signage to the commercial and retail unit and that any advertisements/signage would need to be carefully considered
- fire safety access of the whole building in view of the different uses proposed. Emergency escape routes were pointed out to Members and it was stressed that Building Regulations would need to be complied with
- the consistency of reports; the need for the work being undertaken with developers on standards to be completed and if a 'Leeds standard' was achieved in terms of size and quality, that this should be taken on board by Officers and developers

Members considered how to proceed

In terms of the restoration of elements of the building, this was welcomed. In respect of the proposed uses, in principle, these were felt to be acceptable. However, Members were of the view that the residential scheme as proposed could not be supported; that acceptable dimensions and space for all of the residential units had to be provided; that there were concerns about the size and standard of the proposed studio accommodation and the size and number of the proposed duplex flats in particular and that the design of the rear extension, whilst acceptable in principle should be considered further in light of Members' comments

RESOLVED - To defer determination of the application to enable Officers to negotiate further with the applicant to address the concerns raised by Members and that a further report be brought to Panel in due course

147 Applications 13/04673/FU and 13/04674/LI - Change of use involving alterations of offices to form 3 self-contained flats (with shared cycle and refuse storage) - 11 Queen Square LS2

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

Officers presented the report which sought permission for a change of use of a vacant, Listed Building at 11 Queen Square which was situated in a Conservation Area, to form a small residential development

Members were informed that the front elevation facing Queen Square would be mainly untouched apart from repairs to the existing render; the insertion of an additional window and the reinstatement of chimney pots. The rear of the property would benefit from improvements to the windows and gate together with the provision of roof lights to Conservation Area grade

In principle it was felt that the conversion to flats could be supported; the property was also in a highly sustainable location and would return the historic building to its original state, whilst retaining some of the original features

The receipt of two additional representations was reported. Members were informed that the Council's Private Rented Scheme had not objected to the application and that Councillor Nash had stated that whilst an improvement on an earlier scheme, the property would be suitable as a family house and there was minimal sound attenuation in the property

At this point Councillor Nash confirmed that she had commented on the application as a Ward Member and stated that she had an open mind in respect of the proposals

Members commented on the following matters:

- that the quality of the workmanship would be a key factor and the need for Conservation Officers to monitor the scheme
- the roof light to the ground floor bedroom to the rear flat with mixed views on the suitability of this as the main source of natural light
- the need to ensure any issues of overlooking were addressed
- the need for suitable sound attenuation measures throughout the building

The Chief Planning Officer noted that the chimney posts were missing and considered that their replacement should be controlled by condition

Members were informed that the University was in the process of disposing of many properties in Queen Square and that it was important to set a benchmark with this application

Members considered how to proceed

RESOLVED - To approve the applications in principle and to defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report and subject to an additional condition requiring reinstatement of the chimney posts (and any others which might be considered appropriate)

148 Application 13/04862/FU - Proposed student accommodation, key worker and apartment buildings on land at St Michael's College and former Police Depot - Belle Vue Road and St John's Road Little Woodhouse LS3 - Position Statement

Further to minute 24 of the City Plans Panel meeting held on 4th July 2013, where Panel received a presentation on proposals for the demolition of all existing buildings on the site, other than the original St Michael's College (the 1908 building); refurbishment and extensions to the 1908 building and the development of two new buildings to provide key worker housing; student accommodation; private market apartments and two commercial units, to consider a further report of the Chief Planning Officer setting out the current position on the application

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and outlined the proposals which would provide a mix of student housing – in studios and cluster flats in a new development – key worker accommodation in the 1908 building and extensions and finally a new development of open market apartments on the former playground area

Details of the proposed materials and the building heights of the different blocks were provided. Layouts of the different types of units were also shown together with an indication of how these could be converted to larger units, if required in the future

The comments of Re'new which had been received after the report had been published were read out to the Panel, with the organisation being satisfied the proposals met the criteria of Policy H6B

Members were informed that comments from Highways were awaited

Members considered the proposals and commented on the following matters:

- the number of key worker apartments and whether this had changed since the scheme was last presented. Members were informed that the level of key worker accommodation had been reduced from 302 units to 262
- the concerns of local Councillors about the amount of student accommodation in the scheme
- the new emerging strategy on student accommodation; the concerns about empty units and the need to provide, when considering applications for student housing, information which set the application in context with the level of demand and the amount of student accommodation already granted planning permission
- the need for further information on policy H6B and how this application related to that
- that the retention of the 1908 building was welcomed but concerns that the extensions and new build elements dwarfed the historic former College
- that more public open space should be provided on the site

- the possibility of the student accommodation remaining empty and that larger apartments should be provided instead which could be used by young professionals or key workers
- the impact of the proposals on the house nearest the new build element on Belle Vue Road
- concern that Re'new had not addressed the strategic questions about the level of student accommodation in the City
- the size of the key worker accommodation which was considered to be small and that people required flats, not studio apartments. Concerns were also raised about the size of some of the student accommodation
- that the scheme was over-intensive and led to cramped living conditions, particularly in the key worker and some of the student accommodation
- the possibility of the student accommodation being converted at a later date although the infrastructure would have been created for a different scheme
- that the location was highly sustainable for student accommodation and there was a need for key worker accommodation in Leeds, however there were concerns about the design of some of the buildings and the size of the accommodation being created. On the issue of design and materials, the Chief Planning Officer suggested that further work be undertaken on the student accommodation to ensure the quality being required was achieved. It was also important to ensure the future of the 1908 building which was currently suffering from neglect and vandalism and that the development of this should not be left to the end of the scheme

In response to the specific questions raised in the report, Members provided the following comments:

- that subject to the figures being acceptable for the level of student accommodation in the City, that further student development could be considered to be appropriate on the site
- that the area required retail facilities but to guard against a letting unit or bar, with the A2 and A4 uses requiring deletion
- that concerns existed about the size of some of the units and that flats for key workers would be more attractive. Members requested further work to be carried out on this
- on whether low cost housing exclusively for key workers was suitable in lieu of provision of affordable housing managed by a registered provider, as long as it was genuine low cost housing and would be so in perpetuity, then this could be considered. Again, Members requested further details on this
- regarding massing and design, that there were mixed views and that further detailing was required on some elements, including detailed treatment of the elevations and the relationship to existing properties on Belle Vue Road

- that having regard to the scheme's effect on residents' living conditions in houses in Kelso Gardens and Consort View, that the scheme was acceptable
- that in the absence of on-site greenspace that a contribution should be paid towards the provision of off-site greenspace having regard to UDPR policies N2 and N4
- that the existing trees should be protected from construction work and that new trees of appropriate species, numbers, locations and ground conditions were required to provide a suitable setting to the development
- concerning provision for disabled people, Members were informed that 5% of rooms in the student accommodation would be expected to meet the needs of people with disabilities. However the developer was proposing 1%. Similarly a lower level of disabled parking provision was being proposed. Members were of the view that this level of provision was not acceptable
- in respect of the costs of achieving higher levels of sustainability performances possibly undermining the overall viability of the scheme, Members requested further information on this
- on the proposed Section 106 Agreement, whilst this had not been discussed in detail, it was acknowledged that some of the comments made could impact on this. Two non-standard obligations were proposed, one relating to a contribution towards a pedestrian crossing over the Inner Ring Road, which was being discussed with the developer. The other condition related to the key worker accommodation which would be offered at a sub-market rent and the need for this to be in perpetuity as it would replace the requirement to provide affordable housing on the site. Regarding community use of the building, it was felt that the wording of the draft S106 should be amended to allow some flexibility as to the name of the community association which could use the building and in respect of the length of their meetings

RESOLVED - To note the report and the comments now made

During consideration of this matter, Councillor Lewis left the meeting

149 Preapp/14/00080 - Coal extraction and residential development of 485 dwellings at the former Vickers Factory - Barnbow - Manston Lane Crossgates LS15 - Pre-application presentation

Plans, photographs and graphics were displayed at the meeting. Although a site visit had been planned for earlier in the day, technical difficulties had prevented this from taking place. The Chair advised that the site visit would be rearranged in the future

Members considered a report of the Chief Planning Officer setting out proposals for the second phase of a residential development on the former

Vickers site at Manston Lane LS15, which would also include a degree of coal extraction, prior to development taking place. The Panel also received a presentation from the applicant's representatives and their agent

Members were provided with the following information:

- that the proposals would form two applications, one for the housing development and the other for the site remediation measures
- the housing application would comprise 485 dwellings together with a local convenience store and public open space
- the aim to deliver the housing in two phases, the first phase being prior to the delivery of the Manston Lane Link Road (MLLR), with 100 houses being proposed and the second phase of 385 houses to be delivered once the MLLR was in place
- the measures to be undertaken to remediate the site
- the proposal to work the site from West to East in order to move the activity away from the residential development known as The Limes
- that a method statement for the remediation works was being prepared, with operating hours of 7am-6pm Monday to Friday and 7.30am – 12.30pm Saturday being considered, with no operation on Sundays or Bank Holidays
- that a total of 8800 HGV trips were likely to be generated from the removal of the coal, which equated to 2-3 trips per hour for 44 weeks
- that noise, dust and vibration assessments were being carried out
- that a community benefit fund would be established to fund local projects, together with the formation of a Community Liaison Group
- that an alternative remediation strategy had been considered, i.e. grouting, but had been discounted as it was not policy compliant; would increase the number of HGV movements over a longer period of time and would result in more surface activity
- details about the public consultation which had been undertaken and the extent and nature of the responses received to the proposals
- that the key concerns for local people were traffic congestion; the impact of the proposals on local facilities and issues of noise, dust and disturbance
- that the next steps were to review the consultation, revise the scheme with the aim of submitting applications in March 2014

Members commented on the proposals and raised the following matters:

- the possibility of using rail to transport the coal. Members were informed that the coal would be transported to Drax Power Station and there were timescale issues involved due to the lengthy and arduous negotiation process with Network Rail. Although acknowledging this point, Members noted that Drax was connected by rail and requested that the applicant discuss

- the possibility of using this method of transportation with Network Rail and provide details on cost and the length of time taken to use rail rather than road for the transporting of the coal
- the process for filling in a mine shaft
 - whether a settling time would be required following the filling in with Members being informed that a settlement period of 6-12 months would be required
 - whether the location of all the mine shafts across the site were known. The applicant's representative advised that a significant amount of information had been obtained and that the contractors to be used were highly experienced and would be able to deal with any unexpected mine shafts or contamination
 - the extent of the consultation with concerns that whilst this may have been to households close to the site, the impact of the proposals, particularly increased traffic movements, would also be further away. Members were informed of the favoured route for the coal being sent to Drax Power Station, which would be through Cross Gates Town Centre to the Ring Road and the applicant's representative stated he considered the right people had been consulted about the proposals
 - the extent of some of the excavation with concerns about the potential for ground water contamination. Members were informed that the applicant's drainage consultant would address this concern when the scheme was next presented to Panel
 - the history of the site
 - the traffic situation in Cross Gates which was described as 'dire'; the limitations put on traffic movements by a Planning Inspector, ahead of the MLLR being delivered and the desire of the applicant to build 100 homes before any traffic improvements had been implemented
 - the difficulty of persuading local people about the early delivery of housing on the site, although an agreed timetable for the bridge and the road could help in this respect
 - that an attempt to take on board some of the new principles around house types, design and space was commendable
 - the need for further details to be provided on the measures to protect residential amenity and minimise environmental pollution during the coal extraction and construction processes
 - whether the proposed start time was acceptable in view of the impact of HGVs on the early morning peak traffic flow. Further details were requested on the period of noise and the period of vehicle nuisance if the work commenced at 7.00am or 8.00am – 8.30am. The Head of Planning Services highlighted the fact that the coal recovery would commence at the most sensitive part of the site, i.e. closest to existing residential properties and stressed the need for the mitigation measures to be appropriate and implemented before this work commenced

- the need for details to be provided on the Community Fund; the level of funding; possible projects to benefit from the fund and the management of this
- that the challenges faced by the developer were understood but that equally the concerns of local residents had to be taken account of

In response to the specific questions raised in the report, Members provided the following responses:

- that Members were supportive of the principle of the remediation of the site and its development for housing
- to note Members' concerns about highway capacity and the knock-on effect of this regarding safety
- that it was too early in the process to comment on the layout of the proposals on the detailed layout and illustrative masterplan
- that regarding the affordable housing provision of 15% on site in a mix of dwelling sizes, to note this level was in line with the current interim policy, but that this could change. In terms of the mix of dwellings the Chief Planning Officer referred to the Housing Needs Analysis in the Draft Core Strategy and that Members often requested a proportion of accommodation for older people, which could generate less traffic, which might be a consideration for the first phase of the scheme. Some concerns were raised at this, with the suggestion being made that bungalows might be more suitable

The Chief Planning Officer also referred to the issue of the Social Club and the playing fields on the site and suggested that these matters could be considered as part of the wider S106 requirements

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

150 Date and Time of Next Meeting

Thursday 27th February 2014 at 1.30pm in the Civic Hall, Leeds