

CITY PLANS PANEL

THURSDAY, 20TH MARCH, 2014

PRESENT: Councillor N Taggart in the Chair

Councillors D Blackburn, M Hamilton,
S Hamilton, G Latty, T Leadley, E Nash,
M Ingham, J Cummins, M Coulson,
M Harland and C Macniven

159 Chair's opening remarks

The Chair welcomed everyone to the meeting and informed Members that the meeting would be audio recorded

The Chair referred to a letter which had been sent to Members from a Unison Steward in Planning Services raising concerns about third party recording of Plans Panel meetings. In responding to this, the Chair stated that new legislation was being brought in by the Secretary of State for Communities and Local Government which would allow public meetings, which included Plans Panels to be recorded and that the Council had agreed a protocol for such recordings to be made. In terms of recording meetings, the Chair advised that full Council had recently begun to be televised and that for many years, a verbatim record was made of full Council meetings. For clarity, the Council would be making its own recording of Plans Panel meetings

In respect of any filming of meetings, Unison had raised concerns about the siting of cameras and camera angles in relation to individuals

The Chair stated that it was unusual for Unison to write to Elected Members and he advised that Unison contact the Chief Planning Officer with any concerns

Unison had also raised the issue of Officers possibly being pursued on social media, with the Chair stating that he would expect support to be provided from within City Development, if this situation arose

The Chair also announced that this would be Bob Pritchard's last meeting as the Panel's legal adviser, before he took up a post outside the Council. On behalf of all Members, the Chair thanked Bob for all the top quality advice he had given to Members on meetings of full Council and Plans Panels and stated that he would be greatly missed

In responding, Bob Pritchard stated that he had enjoyed the last four years and that he was proud to have worked for Leeds City Council

160 Declarations of Disclosable Pecuniary Interests

With reference to Application 13/05506/FU – 29 Wellington Street, Councillor Nash declared a disclosable pecuniary interest through being in

receipt of a small income from the Co-op, which had a store located close to the proposed development (minute 166 refers)

161 Apologies for Absence

Apologies for absence were received from Councillor P Gruen, J Lewis, N Walshaw and R Procter. The Chair welcomed Councillors Macniven, Harland and Coulson who were substituting for their respective colleagues

162 Victoria Gate

The Chair referred to the site visit which had taken place earlier in the day to view the materials for Phase 1 of this development

In commenting on the sample materials provided on site, Members were largely supportive of the proposed materials, although some concerns were raised about the brickwork which had been displayed. The Chief Planning Officer stated that the colouring of the brickwork and mortar would be picked up with the architect and that further work on a colour mix could be undertaken

163 Minutes

RESOLVED - To approve the minutes of the City Plans Panel meetings held on 13th February 2014 and 27th February 2014

164 Matters arising from the minutes

With reference to minute 144 of the City Plans Panel meeting held on 13th February 2014 which referred to Application 13/03998/FU – land to the west of Cottingley Springs LS27, the Head of Planning Services informed Members that the application had been called in by the Secretary of State and that it would be dealt with by a Public Inquiry

Members were also informed about the introduction of the NPPG – National Planning Policy Guidance which would sit under the National Planning Policy Framework. The Head of Planning Services stated that further permitted development rights would come into effect from 6th April 2014, with a report on these changes being brought to the next Joint Plans Panel meeting in July 2014

165 Application 13/02190/FU - Erection and installation of an Energy Recovery Facility and an Anaerobic Digestion Facility, an integrated education/visitor centre, provision of rail freight handling infrastructure and a new industrial link road access to the site via Knowsthorpe Gate, associated parking and landscaping - land at Bridgewater Road Cross Green LS9

Further to minute 94 of the City Plans Panel meeting held on 24th October 2013, where Members considered a position statement on the proposals, the Panel considered a further report of the Chief Planning Officer setting out the formal application

Plans, photographs, graphics and an artist's impression of the buildings were displayed at the meeting

Officers presented the report which related to an application for a waste management facility which would be capable of treating up to 195,000 tonnes per annum of unsorted, non-hazardous municipal, commercial, industrial and green (biodegradable) wastes, which would operate 24 hours a day, 7 days per week except during shutdowns for maintenance

Members were informed that the waste would be imported to the site from within the Leeds administrative boundary and that the proposals would deliver a new link road and upgrade the adjacent rail sidings infrastructure

Having considered the scheme, Officers were of the view that the application should be refused, with recommended reasons for refusal being included in the submitted report

Members were informed of additional letters of representation which had been received, including one from local Ward Member, Councillor R Grahame, who was supportive of the application. Councillor Grahame's letter was read out to the Panel. A letter had also been received about the nature of the proposed waste management processes and whether this constituted incineration. Members were informed it was the view of Officers that the pyrolysis element of the processes constituted incineration at this stage

Further information had also been received on the ecological aspects of the proposals, which Officers were now satisfied with and a letter of response from the Agent in respect of the objection made by Miller Homes

The Panel heard representations firstly from the applicant who provided information to Panel which included:

- that the site was a brownfield site
- that the scheme would bring sustainable benefits to Leeds
- the waste stream and that there was sufficient waste feed stock within Leeds for the facility
- the use of rail for transporting waste

The Panel then heard from an objector who supported the Officer's recommendation and provided information to Panel which included:

- the impact of the proposals on the residents at Yarn Street
- concerns about odour, noise and the visual impact of the proposals
- that the application was contrary to policy and would lead to the reindustrialisation of the area
- that a nearby unauthorised waste management use (LPR at the Knostrop Depot) had adversely impacted on the living conditions of residents at Yarn Street
- 25m flues would dominate the landscape and the proposal would result in the re-industrialisation of the site
- investment in road was recognised but asked Members not to attach too much weight to this

The Chair allowed the applicant's agents who were in attendance, to respond to questions from the Panel

Members discussed the proposals with the following matters being raised:

- the extent of the buffer which would be required between the site and the housing land opposite, together with planting required for the Flood Alleviation Scheme in this area
- issues relating to noise and odour and the proximity of housing land
- that the technology proposed was supported in principle but was in the wrong place
- that the site was not allocated for waste management use and was not part of the original plan for Aire Valley Leeds
- the level of waste arisings in Leeds; the recent approvals for Energy Recovery Facilities at Cross Green and Skelton Grange and whether the proposed facility would need to import waste from outside Leeds to remain operational
- how the adjacent rail sidings would be upgraded and used for rail freight in connection with the proposal and a lack of clarity on how this would work in practice
- the difficulty of developing in this area without having an adverse impact; how rail would be brought into use through the scheme; that odour could be controlled and that further consideration should be given to the proposals

The Panel considered how to proceed:

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

- 1 The proposed development site is not identified in Leeds City Council's Natural Resources and Waste Local Plan 2013 as an allocated, preferred or safeguarded waste management site. In the opinion of the Local Planning Authority, the applicants have failed to demonstrate that the safeguarded, preferred and allocated locations for waste management use, as identified by policies Waste 2, 5, 6 and 7 in the Local Plan, are not appropriate or available for the proposed use. This is contrary to policy Waste 8 of the Leeds Natural Resources and Waste Local Plan 2013
- 2 In the opinion of the Local Planning Authority the applicants have failed to demonstrate how the proposed development would utilise the adjacent railway line or to any substantial extent for freight movements in connection with the proposed use. As such, there are considered to be no exceptional circumstances to depart from the policy in the adopted development plan, which seeks to ensure that the application site is developed for rail related uses. The proposed development is therefore contrary to the aims and objectives of

policies H3-A1.45, T1(i) and T31 of the Leeds Unitary Development Plan Review 2006

- 3 In the opinion of the Local Planning Authority, the proposed development would prejudice the delivery of housing on the land allocated for residential development at Bridgewater Road. It would do so by restricting the land available for the location and/or relocation of rail based freight uses whilst simultaneously ensuring that sufficient land is available to function as an effective buffer between the two uses. This buffer is required in order to provide an adequate standard of amenity for the occupants of the future planned housing. The proposed development is therefore contrary to the Hunslet Riverside Strategic Housing and Mixed Use Site policy H3-1A:45 and GP5 of the Leeds Unitary Development Plan Review 2006 and Waste 9 of the Natural Resources and Waste Local Plan (2013) and undermines the emerging policy base contained in Spatial Policy 5 of the Consolidated Core Strategy comprising Publication Draft Feb 2012 and Pre-Submission Changes Dec 2012 (CD01) and the Proposed Modifications Schedule 1 (March 2014) and the aspirations of the emerging Aire Valley Area Action Plan for the regeneration of the wider Hunslet Riverside Area

Following the determination of the application, Councillor Ingham brought to the Chair's attention that she had not indicated her support for the proposals, as referred to in paragraph 7.3 of the submitted report

166 Application 13/05506/FU - Proposed office building (B1) with ancillary ground floor retail (A1), restaurant and cafe (A3), drinking establishments (A4) and Wellness Centre (D2) with internal and external publicly accessible space and landscaping above basement car parking - Wellington Street/Whitehall Road LS1

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

Further to minute 112 of the City Plans Panel meeting held on 21st November 2013, where Panel considered pre-application proposals for a mixed use development on the former Lumiere development site at 29 Wellington Street LS1, Members considered a further report of the Chief Planning Officer setting out the formal application

Officers presented the report which sought approval for an office building with ancillary ground floor retail, restaurant and café, drinking establishments and wellness centre (A1,A3, A4 and D2) uses, with internal and external publicly accessible space and landscaping above basement car parking

Details of the proposed layout of the accommodation, public areas and basement parking were outlined together with the landscaping proposals and details of materials. Members were informed that the scheme contained a

degree of private rooftop spaces in order to make the office offer more attractive to prospective occupiers

Regarding the issue of bus stops, it was explained that Metro were in the process of finding an alternative location for the bus service which uses stop W1, located to the north of West Central on Wellington Street, as this stop would compromise the use of guard-rails which are proposed to protect pedestrians from an existing distressful wind environment in the area

Members were impressed with the scheme although the orientation of the sloping glass wall was queried as it was felt this would be in darkness for much of the day

A query was raised in relation to the treatment of the parking surface and whether this could lead to flooding. The Head of Planning Services advised that as the parking was sited in the basement, surface water run-off would be dealt with appropriately

The possibility of including some reference to the railway heritage of the site was made, with the Chair offering to provide some historic images of the former Central Station, for consideration

The Panel welcomed the prestigious scheme and the provision of a Winter Garden for the City

RESOLVED - To approve the application in principle and to defer and delegate to the Chief Planning Office for approval, subject to the specified conditions and following completion of a Section 106 Agreement to cover the following matters:

Winter garden to be open 0700 to 2300 every day

Public transport contribution

- for the office element: £229,804 payable on first occupation of the office
- for the ground floor commercial uses: £25,644 total – proportions to be paid on occupation of each unit

Travel Plan items

- agreed travel plan
- travel plan review fee £11,810
- car club spaces
- funding for free trial membership and usage of car club for office workers - £11,000
- electric car charging points: 5% of spaces (6 no) with charging infrastructure, rising to 10% (12 no) if the first 5% are fully utilised

Highway works:

Financial contribution towards laying out of Whitehall Road/Northern Street Junction - £69,000

Provision of off site highways works consisting of:

- relocation of pedestrian crossing on Wellington Street
- relocation of 2 bus stops on Whitehall Road including outbound stop being a shelter with Real Time Information facility
- pedestrian guard railing to Wellington Street frontage
- (These items may be required by condition if considered appropriate)

Jobs and Skills for local people

In the circumstances where the Section 106 has not been completed

within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

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

167 Preapp/14/00200 - Land to the South of Pontefract Lane Richmond Hill - Pre-application presentation

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

Members considered a report of the Chief Planning Officer and received a presentation on behalf of the developer in respect of pre-application proposals for a park and ride facility, together with other uses on land to the south of Pontefract Lane, a 10.5 ha site within the Aire Valley Enterprise Zone (AVEZ), close to Junction 45 of the M1 motorway and which formed part of the former Waterloo Colliery site

The key elements of the proposals were outlined to Members, with these including:

- the potential of the Leeds City Region Enterprise Zone to deliver high levels of employment; that the site had been identified for a park and ride scheme for a number of years and would service the AVEZ
- the proposals would deliver a park and ride transport hub with petrol filling station, a branded coffee shop/sandwich shop and car dealerships
- grant funding of £8.5m had been secured from central government although the terms of the grant required the land remediation works to be completed by Spring 2015
- that 1000 parking spaces would be provided in a safe, secure facility which would be attractively landscaped and illuminated
- that additional funding was being sought to provide improvements along the East Leeds Link Road
- that dedicated buses running from 7am – 7pm at a 15 minute frequency would be provided, with the fare being £3

Members discussed the proposals and commented on the following matters:

- the importance of the site in creating an initial impression of Leeds and whether the proposals were of sufficient quality to create the right impression of the City
- the odour which was present on the site and the need to deal with this issue. Discussion took place on this, with the view being that the odour was emanating from the nearby sewage works. The possibility of engaging with Yorkshire Water to consider enclosing the sewage works as had been done in Reading was also raised. It was suggested by a local Councillor that the odour was from particular businesses and that Environmental Health Officers were aware of this

- whether car showrooms were the best use for the outlets proposed and that something more aspirational should be considered. Members were informed that the developer had moved away from hotel or food uses due to the proximity of the sewage works and considered that the proposed uses were complimentary to the park and ride facility
- whether the park and ride would be staffed and if so, the need to ensure facilities were provided for them
- public toilet provision, with Members being informed this would be considered
- the feasibility of car dealerships wishing to locate to the site. The developer's representative stated that some soft market testing had been carried out and that there was some level of interest for new or relocated facilities at the site
- that car dealerships could vary in design and appearance but that high quality proposals would be expected on the site
- the extent of the contamination on the site, with Members being informed that all of the contaminants on the site could be remediated

The Chief Planning Officer stressed the importance of the appearance of the whole corridor and acknowledged Members' comments about the need for quality. However he pointed out it would not be an easy site to get going and that a careful package needed to be assembled, with a focus on quality rather than specific uses

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

- that in light of the information and planning policy considerations that Members support the principle of the park and ride facility and other uses at this key employment site, subject to the comments made in respect of quality and uses at this gateway site
- regarding the layout of the proposals as set out in the indicative masterplan, that the park and ride facility had to be located at the roundabout, with the rest of the development following on from that. The need for suitable screening and tree planting and landscaping was stressed
- that the proposals represented the first phase in the development of the wider area; that it was important to ensure the proposals were right and provided the quality which should be taken forward in future developments. The importance of ensuring local training and employment clauses in any S106 Agreement was highlighted

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

168 Date and Time of Next Meetings

Thursday 10th April 2014 at 1.30pm in the Civic Hall, Leeds
 Thursday 8th May 2014 at 1.30pm in the Civic Hall, Leeds

Draft minutes to be approved at the meeting
 to be held on Thursday, 10th April, 2014

Draft minutes to be approved at the meeting
to be held on Thursday, 10th April, 2014