

CITY PLANS PANEL

THURSDAY, 10TH APRIL, 2014

PRESENT: Councillor N Taggart in the Chair

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

169 Chair's opening remarks

The Chair announced the sad news of the death of Councillor Clive Fox, who had been at one time the Chair of the former Plans Panel East and a regular member of Development Plan Panel. Councillor Taggart stated that Councillor Fox had been a hardworking and diligent Councillor and had represented his constituents well. Councillor Taggart stated that as an accountant by profession, Councillor Fox could always be called upon to forensically examine reports and that he would be greatly missed

The Chair then asked for all present to stand and observe a minute's silence in memory of Councillor Clive Fox

170 Late Items

Although there were no formal late items, the Panel was in receipt of supplementary information in respect of the NGT update report and the Position Statement on proposed residential development and access at a site in Cookridge (minutes 178 and 176 refer) which had been circulated in advance of the meeting

The Chair referred to a recent visit to Derby undertaken by the Panel to view a development and stated that additional information following this visit would be circulated to Members during the break

171 Declarations of Disclosable Pecuniary Interests

Councillor James Lewis declared a disclosable pecuniary interest in agenda item 11, NGT update report, through being the Chair of the West Yorkshire Integrated Transport Authority, as Metro was the applicant (minute 178 refers)

Although not a disclosable pecuniary interest, Councillor Leadley brought to the Panel's attention the fact that he knew the agricultural tenant of the land off Bradford Road East Ardsley, which was the subject of a position statement (minute 177 refers)

The Head of Planning Services, Martin Sellens, brought to the Panel's attention that he lived in the vicinity of the site at Cookridge, which was the

subject of a report to Panel and would leave the room when Members considered this item. The Chair confirmed that during the round of site visits earlier in the day, the Head of Planning Services had remained on the bus whilst Members had undertaken the site visit to land rear of Moseley Wood Gardens and land off Cookridge Drive LS16 (minute 176 refers)

172 Apologies for Absence

Apologies for absence were received from Councillor G Latty and Councillor R Procter. The Chair welcomed Councillor Castle and Councillor Wood who were substituting for their colleagues

173 Minutes

RESOLVED – That the minutes of the City Plans Panel meeting held on 20th March 2014 be approved

174 Applications 13/03970/FU and 13/03917/LI - Applications for planning permission and Listed Building consent for the change of use of offices, involving alterations and new second floor to annex to rear to form 3, one bedroom duplex apartments; 1, one bedroom flat; 3, two bedroom flats; 2, three bedroom flats and one retail unit (A1) and one commercial unit (A1-A3) - 22 - 23 Blenheim Terrace LS2

Further to minute 146 of the City Plans Panel meeting held on 13th February 2014, where Panel deferred determination of the applications for change of use, alterations and extensions to 22- 23 Blenheim Terrace LS2, Members considered a further report of the Chief Planning Officer

Plans, photographs and graphics showing comparative images of the revised scheme and the previous proposals were displayed at the meeting

Officers outlined the changes which now proposed 9 units, comprising 16 bedspaces, albeit in a slightly larger building, as opposed to the previous scheme which was for 14 units with 19 bedspaces

Members discussed the revised proposals and were of the view that they were an improvement on what had been presented in February

Concerns were raised about the aluminium panelling to the top floor level of the extension and that a more sensitive material in this location should be considered

RESOLVED – That planning permission and Listed Building consent be granted subject to the conditions set out in the submitted report (and any others which might be considered appropriate) and subject to further discussion about the proposed material to the top floor of the extension

175 Application 13/05378/FU - Construction and operation of an Anaerobic Digestion Plan and associated infrastructure - Knostrop Sewage Treatment Works, Knowsthorpe Lane LS9

Draft minutes to be approved at the meeting
to be held on Thursday, 8th May, 2014

Plans, graphics and photographs were displayed at the meeting. A Members site visit to an Anaerobic Digestion Plant in Bradford had been undertaken on 2nd April 2014

The Minerals, Waste and Contaminated Land Manager presented a report seeking approval of an application for an Anaerobic Digestion Plant and associated ancillary infrastructure at the Knostrop Sewage Treatment Works, Knowsthorpe Lane. It was noted that the application related to two separate parcels of vacant land within the operational land of the Waste Water Treatment Works off Knowsthorpe Lane

The anaerobic digestion process was outlined to Members together with details on the earthmoving works required and the creation of a bund on the southern part of the development

The need for replacement waste facilities due to the landfill sites at Peckfield and Skelton being close to capacity was highlighted. The benefits of anaerobic digestion as a less costly way of dealing with waste compared to landfill was referred to, together with the energy potential of the scheme under consideration

In terms of design, visual impact and highways, Officers were of the view that the application was acceptable

Members were informed that Public Health England had not objected to the development and had indicated they would comment at the permit application stage, to the Environment Agency

If minded to approve the application, an additional condition was recommended which fixed the throughput at 48,000 tonnes

Members discussed and commented on the application in respect of:

- highways, particularly the route the lorries would take and the need for the time restrictions for lorries arriving and leaving the site to be adhered to
- alternative sites for the facility
- the visual impact of the proposals from further afield
- the usefulness of the site visit to the facility in Bradford
- odour issues and the need for assurances that the process would work properly

Members considered how to proceed

RESOLVED - That the application be granted subject to the conditions set out in the submitted report, a further condition to fix the throughput at the plant at 48,000 tonnes and any other conditions that the Chief Planning Officer considers necessary

176 Applications 13/04148/OT - Outline application for development of circa 200 dwellings including access from Moseley Wood Rise at land rear of Moseley Wood Gardens Cookridge LS16 and 14/00190/FU - Proposed second access road from Cookridge Drive to land at rear of Moseley Wood Gardens Cookridge LS16 - Position Statement

Prior to consideration of this matter, the Head of Planning Services, Martin Sellens, withdrew from the meeting

Plans, photographs and drawings 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 setting out the current position on an application for residential development on a 9.9 hectare PAS site and the creation of a second access point over Green Belt land. An update to the submitted report had been circulated prior to the meeting and had been published on the Council's website

Officers presented the report and outlined the proposals, including the information contained in the update report

The indicative masterplan was shown which indicated the potential for 200 dwellings of semi-detached and detached type, with 2 – 2 and a half storeys in height

The POS proposals were outlined with Members being informed that the flood attenuation measures did not form part of the POS calculations for the site

How the site related to the criteria set by Executive Board in March 2013 for the early release of selected PAS sites was explained. Whilst accessibility had been an issue, the proposed second access route from Cookridge Drive would broadly meet the access criteria, with Officers being of the view that in principle, the site complied with the Interim Housing Policy, however there were other constraints associated with the site, these being drainage issues and the impact of the creation of the second access which would result in the loss of protected trees and a designated UK BAP Priority Habitat and would impact upon the openness of the Green Belt and the objective of preventing encroachment into the Green Belt. On this matter, Members were informed that a clause in the NPPF indicated that certain forms of development could be considered not to be inappropriate development if they did not impact on the openness of the Green Belt, one of these being engineering operations, and that the means of access could be defined in this way

In terms of the Section 106 package, this was outlined as set out in the report before Panel

Members then heard from the Group Engineer in the Council's Flood Risk Management Team who informed the Panel that initial issues with the flood modelling had been raised and that further work by the applicant's flood risk consultants had shown it was possible to locate the attenuation ponds outside the floodplain. However, the south east corner of the site was particularly boggy and that the applicant had been asked to carry out further work to determine the cause of this, although this was an issue which would need to be addressed at the Reserved Matters stage

Members discussed the report and commented on the report with the key issues being:

- the Council's 5 year land supply and the importance of this when considering applications. A brief discussion took place on the interpretation of the 5 year land supply, as set out in the Officer's report
- floodrisk and drainage and that these were two separate issues; the need to establish where the water on the south east corner of the site was coming from and the possibility that this could be a deep seated problem

- that consideration of a position statement on the proposals was premature until there was certainty about the waterlogged part of the site
- access arrangements; the extent of development possible from a single access point; that a second access point was critical and that the proposed location for this could be considered as encroachment into the Green Belt. The Transport Development Services Manager stated that whilst there was not necessarily an issue with the total number of dwellings proposed, it was about the nature of the existing access, i.e. a residential road and therefore Officers had sought an additional access to service the development, albeit that an access from Cookridge Drive was not ideal and that further comments were awaited from colleagues in Highways
- the possibility of taking an access lower down, through the acquisition and demolition of a property. Members were informed that the applicant had submitted legal and viability information on this aspect
- education provision
- the extent of development in the boggy part of the site. Members were informed that the indicative plan showed 30-40 dwellings in that location
- the cumulative impact of the proposals
- the difficult decisions Plans Panels had to take

In addressing the specific questions raised in the submitted report and an additional question in the supplementary document, the Panel provided the following responses:

- on whether Members had any concerns regarding the principle of development, the Panel indicated that it had and required certainty on the issue of drainage and what was causing part of the site to be wet and that the outcome of this could affect the layout and number of dwellings the site might be able to accommodate. In the event that Members were satisfied about the drainage issues, it was likely that the principle of development would have to be acknowledged, although at this stage, the application was considered to be premature without knowing the drainage details
- regarding the proposed access arrangements and highways, that the loss of woods, TPO trees, a BAP Priority Habitat and Green Belt land to accommodate a second access was not supported. The suggestion of an adopted cycleway and footpath however, could be supported
- regarding the sustainability or capacity of the site, to note Members' comments on these matters
- in respect of the emerging Section 106 package, to note that the education contribution complied with policy but that further information was required on the number of places this would provide and at which schools

- concerning the impact of the proposed access road from Cookridge Drive upon the openness of the Green Belt and whether the creation of an access road in this location would conflict with the purposes of including land within the Green Belt, the Panel considered that it would
- on the issue of further comments at this stage, the matter of the interpretation of the 5 year land supply was raised again. The Chief Planning Officer stated that he did not accept this was being misinterpreted by Officers but stated that further clarification could be provided

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

Following consideration of this matter, the Head of Planning Services resumed his seat in the meeting

177 Application 13/05423/OT - Outline application for means of access from Bradford Road and to erect residential development on land off Bradford Road East Ardsley WF3 - Position statement

Prior to consideration of this matter, Councillor Wood left the meeting

Plans, photographs and drawings 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 which set out the current position on an application for a residential development on a 13.50 hectare PAS site at Bradford Road East Ardsley. A revised indicative masterplan showed a maximum of 299 dwellings on site and a two hectare site reserved for a possible future primary school

The Head of Planning Services presented the report and outlined the relevant planning history and the position of the site in relation to the surrounding communities of East and West Ardsley and Morley

Members were informed there were concerns about the proposals in terms of highway capacity and accessibility issues. It was noted that the site also failed on the first two criteria of the Council's Interim Housing Policy

Members discussed the proposals, with the main issues being raised relating to:

- land use and the need for a site for an additional high school to serve the Morley area
- access requirements for the scheme indicated on the masterplan together with highways issues in the local area and the additional traffic which would be generated by a primary school on the site. Members were informed that further analysis of the traffic arrangements would need to be undertaken by Officers
- the fact that the site did not meet the first two criteria of the Interim Housing Policy; that further work was proposed to

consider if the highways arrangements could be supported and whether the use of resources was justified on this site

- the coalescence of communities and that in general, this should be resisted
- that at 13.50 hectares in size, the site was above the threshold specified for PAS land which might possibly be released early for development. The Chief Planning Officer stated that the Interim Housing Policy had been tested and was a lawful policy; that the applicant had not put forward any circumstances to set aside that policy; that coalescence was an issue in this case and that the Site Allocations process would resolve the issue of the use of the land for education or residential

Members considered how to proceed

RESOLVED - To note the report, the presentation and the discussions on the proposals and for the Chief Planning Officer to have regard to the views of the Panel that the application was premature; it did not fulfil two of the three criteria laid down in the Interim Housing Policy and there were also concerns about the coalescence of communities and highways issues

178 Application 13/04318/TWA - Submission of the Transport and Works Act Order application for the New Generation Transport NGT Scheme - update report

Having declared a disclosable pecuniary interest, Councillor J Lewis withdrew from the meeting. Councillor P Gruen also left the meeting at this point

Further to minute 81 of the City Plans Panel meeting held on 17th October 2013, where Panel considered a report of the Chief Planning Officer on submissions of the Transport and Works Act Order for the New Generation Transport (NGT), Members considered a further report which included updated information on the proposed route and how it would impact on the Leeds College of Art and the businesses at Pym Street. Appended to the report was the updated suite of proposed draft conditions. A plan showing the landscape proposals at Blenheim Walk was considered as a supplementary document

The Acting Planning Projects Manager presented the report and referred to the Members site visit to the Leeds College of Art on 21st November 2013 and the concerns which Members had raised

The revisions which had been made at this location, with the northbound turn having been removed and more space created around the college, were considered to be a significant improvement. The amendments also retained the garden area, walls and trees and Officers considered the proposals did not have an impact on the college

Members were informed of a representation received from the Principal of the Leeds College of Art who, whilst welcoming the amendments, considered significant concerns remained, particularly as University status was being sought and the proposals could potentially have an adverse impact on this. The concerns were summarised and included:

- impact of traffic; isolation of the College and first impressions of the College and its setting, especially as competition existed for students
- the offer of an area of land from NGT did not compensate for the loss of land
- that the alternatives had not been properly explored and that there was no reason why Blenheim Walk had to be a two-way route
- noise and that this had not been properly assessed
- that Panel should ask Metro to reconsider the proposals further and in particular not make Blenheim Walk a two-way route

The Panel discussed the changes around the College of Art site and considered the amendments to be an improvement on the original proposals. Concerns were raised that specific distances could not be provided in respect of the circulation space outside the front door of the college. Regarding Blenheim Walk, it was felt that a two-way route improved the situation and slowed down traffic

The Panel then considered the revisions to Pym Street. Members were informed that three main options had been reported to the businesses in this area, with a mix of views remaining. Whilst there was support for NGT's preferred option of retaining the left turn into Pym Street, together with signaling and realignment of Hunslet Road to create a left turn lane, some businesses also sought a new right turn from South Accommodation Road, with Metro undertaking further investigations on this option

Members welcomed the work which had been done to reach a sensible conclusion for local businesses

The Panel was referred to the suite of draft conditions appended to the submitted report

RESOLVED - That the Panel provides its support to the details of the project set out in the submitted report, subject to the various changes, revisions and amendments to conditions set out in the appendix 3 to the report and continued dialogue with key affected groups

Following consideration of this matter, Councillor J Lewis resumed his seat in the meeting

179 Preapp/14/00279 - Internal alterations and maintenance works to Kirkgate Market - Site bounded by Vicar Lane, George Street and Kirkgate LS2 - 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 on proposed works to Kirkgate Market and received a presentation on the proposals from the agent and architect involved in the project

Members were provided with the following information:

- the background to the proposals, including the business case; the consultation which had been carried out and details of further consultation which had been arranged

- the key design stages, details of the works to be carried out on an area by area basis and the level of funding available to undertake the works
 - timescales, phasing of works and implications for traders
 - that proposals for George Street would form a separate scheme
- Members discussed the proposals, with the main issues considered

being:

- consultation with traders; anecdotal evidence to suggest that not all traders were happy with the proposals and an acceptance that not everyone would wish to engage in consultations and discussions
- displaced traders and whether alternative locations would be found for those most affected by the proposals
- changes to market entrances
- the functioning of the market whilst alterations and improvements were taking place
- the phasing of the works, particularly the Block Shops once these were vacated on the Butcher's Row side of the market
- the brick wall surrounding the outdoor market and how permeability would be achieved
- hours of delivery for the different areas the market would contain
- the heritage connection with Marks and Spencer and to ensure the proposals retained the links which currently existed
- historic design details in the 1904 hall which were currently obscured by stalls and the need for these to be opened up
- the need for the market to retain its character, with concerns that some of the images presented showed a 'sterile' environment and a lack of individuality to the stalls
- the need for longer opening hours of the market
- the need for assurances that buildings on George Street would not be demolished until re-development was to take place

A request to address the Panel had been received from Mr Simon Jose. Although it had come to light that Mr Jose was not representing the Friends of Kirkgate Market as had been first thought, the Chair used his discretion and allowed Mr Jose to address the Panel. Members were provided with information which included:

- concerns by traders at the proposals to create a combined meat and fish market
- consultation
- information included in a report considered by Executive Board
- contractual matters
- levels of compensation

The Chair advised Mr Jose that contractual matters were not issues which could be considered by City Plans Panel

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

- Members considered that the principle of relocation of the butchers to Fish and Game Row to enable the rationalisation of services, including new drainage and extraction was acceptable

- that the 'Market Village' concept was acceptable in principle
- that the approach taken to the proposed new Block Shop and its relationship to the original 1875 Block Shop arrangements and layout was correct
- that the proposed daily covered market layout and the new flexible events space were acceptable in principle
- that the proposed routes maximized the benefit of the proximity to Victoria Gate by strengthening the connections to it
- that this rationalisation was a reasonable approach to take given the proposed change in character of this area
- that Members were satisfied that the recommendation of Officers could be agreed under delegated powers - unless the proposals were markedly different from those presented to Panel – in order that the application could be sent to the Department of Communities and Local Government for determination

Members welcomed the proposals and the investment in Leeds Market

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

180 Date and Time of Next Meeting

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