

## **CITY PLANS PANEL**

**THURSDAY, 17TH JULY, 2014**

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

Councillors P Gruen, R Procter,  
D Blackburn, S Hamilton, G Latty,  
T Leadley, N Walshaw, J Lewis,  
C Campbell, C Gruen, R Grahame and  
C Towler

### **16 Chair's opening remarks**

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### **17 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

### **18 Apologies for Absence**

Apologies for absence were received from Councillor Nash and Councillor Ingham who were substituted for by Councillor R Grahame and Councillor Towler

### **19 Minutes**

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 26<sup>th</sup> June 2014 be approved

### **20 Matters arising from the minutes**

With reference to minute 9 of the City Plans Panel meeting held on 26<sup>th</sup> June 2014 – Applications 14/01903/FU and 14/01924/DEM – Victoria Gate Phase 2 – the situation regarding the North Bar Stone was raised and whether this had been removed and stored safely as required by Panel. The Chief Planning Officer stated that a condition requiring removal and storage of the North Bar Stone prior to commencement of the development had been attached to the approval and that once it had been removed, details of where the North Bar Stone would be stored would be provided to Members

With reference to minute 6, arrangements for a site visit to Manchester, the Head of Planning Services stated the visit which had taken place on 15th July had been worthwhile and had enabled Members and Officers to view examples of studio flats. Members commented on the visit in respect of the size of the units, with those at 29sqm being regarded as a standard Leeds should be considering. The use of balconies was also referred to, with the view being expressed that the treatment of balconies in Manchester seemed better than in Leeds

The Chair thanked Officers for arranging the visit

**21 Application 13/04862/FU - Proposed student accommodation, key worker and apartment buildings on land at St. Michael's College and Police Depot, St. John's Road and Belle Vue Road, Little Woodhouse, Leeds**

Further to minute 184 of the City Plans Panel meeting held on 8<sup>th</sup> May 2014, where Panel deferred determination of an application for student accommodation, key worker accommodation and apartment buildings to enable further discussions to take place on elements of the proposals, including the size of some of the units, Members considered a further report of the Chief Planning Officer

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and outlined the changes to the scheme which related to the size of some of the key worker accommodation; the appearance of the new build extensions to the historic college building and the S106 contributions. Members were also informed that a list of eligible occupations had been drawn up for the key worker units, with a salary threshold also being stipulated

In respect of the S106 contributions an additional £150,000 had been offered towards off-site greenspace. On the travel plan, Members were informed that the finer details of this were required

If minded to approve the application in principle, an amendment to the recommendation within the submitted report was sought, to remove the reference to the resolution of issues relating to the provision of accessible student bedrooms, as this matter had been resolved and to include the submission of details of the travel plan for approval

Members discussed the application, with the main issues relating to:

- the extent of improvements which had been made to the development, with mixed views on this
- the timescale for completion of the S106 Agreement and that delays should not occur
- the importance of context being provided for Members when considering applications for student accommodation to ensure the current situation on supply and demand was provided as part of the information within reports
- the design of the proposals and the quality of living which would be provided which was considered to be less than the scheme seen in Manchester
- the size of the smaller units with some concerns being raised about the living conditions for residents of these units

- the level of the affordable rents and the monitoring of the proposed key worker accommodation in the future as units were subject to changes in ownership and occupation. The Panel's legal adviser stated that this matter could be future-proofed in the S106 Agreement
- the need for a Leeds standard for residential accommodation

The Head of Planning Services stated that work on devising a Leeds standard was progressing. On the comments regarding the standard of the units compared to those seen in Manchester, Members were informed that the rental levels on the units in Manchester were higher than those proposed on this site; that the current proposals provided communal facilities for the key worker apartments such as a gym, games and reading rooms and represented a conversion of an existing premises with significant costs and that a financial viability assessment had been submitted and the developers had offered to go beyond that assessment in terms of planning contributions

**RESOLVED** - To defer and delegate to the Chief Planning Officer for approval subject to the conditions set out in the submitted report, and any others which he might consider appropriate; details and the completion of a Section 106 Agreement to include the following obligations:

- the provision of 259 low cost housing units at an affordable rent (not more than 80% of local market rent of not less than equivalent quality and specification) to key workers with a total gross salary of no more than £30,000 for single person units and a combined household salary of £60,000 for two person units (para 2.12-2.1.3)
- scheme of monitoring of the key worker accommodation to ensure its occupation would continue to meet the agreed key worker criteria
- phasing of the development to ensure the renovation of the St Michael's College 1908 building as part of the first phase of development
- a public transport contribution of £30,000 to be spent on improvements to the existing pedestrian bridge over the Inner Ring Road to help link the site to the City Centre
- implementation of an approved Green Travel Plan
- travel plan review fee of £4,500
- provision of space for City Car Club within the development and £25,000 for free trial membership and usage of the car club
- a sum of £15,000 to be spent on revising Traffic Regulation Orders if the development results in on-street parking problems
- a contribution of £10,000 towards local bus stop infrastructure improvements or sustainable travel measures
- a contribution of £170,000 to the provision of improvements to off-site greenspace
- student occupation of student building during recognised Higher Education term time
- control of student car use in tenancy agreement
- community use of a room in one of the buildings for not less than 2 hours per calendar month free of charge

- local employment and training initiatives
- Section 106 management fee

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

Under Council Procedure Rule 16.4, Councillor R Procter required it to be recorded that she voted against the matter

**22 Application 14/01008/FU - Proposal for 106 apartments, B1 office space with 30 car parking spaces and rear amenity deck on land at 2 Skinner Lane, Leeds, LS7**

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

Officers presented the report which sought approval for a nine storey residential development with ground floor office units on a site currently being used as a temporary surface car park on land fronting Skinner Lane. Details of a previously approved scheme for residential and office use were provided, with Members being informed that the current application was lower in height and depth than that of the previously consented scheme

The floor plans were outlined to Panel, together with the proposals for an amenity deck sited above the car park. Proposed materials of glazing and wood had been selected to reference the materials of the buildings on either side of the site

If minded to support the Officer's recommendation, the Chief Planning Officer proposed an additional condition restricting the use of the car park to occupiers of the development only

Members commented on the application, with the main issues relating to:

- sustainability; the need for a high level to be achieved and consideration given to photovoltaics being included
- the level of unlet/unsold apartments in Leeds. The Chief Planning Officer advised that through the economic downturn, occupancy levels had been close to 100% in the City, although this was predominantly rented accommodation and that a demand still existed for apartment units
- bin stores and arrangements for refuse collection
- the proposed materials; the dominance of wood as seen on the graphics; the type of wood to be used; how it would weather and the need for sample materials to be provided to Panel when considering applications
- the level of affordable housing units and the desire for a higher number of affordable 2 bed units than being proposed

The Panel considered how to proceed. Concerns were reiterated about the need to see samples of the proposed materials. The Chief Planning Officer stated that the material details would be controlled by

planning condition and suggested that further discussions be undertaken with the applicant's architect on the issue of materials and that samples be provided to be agreed by the Panel prior to the discharge of the planning condition

**RESOLVED** - To defer and delegate to the Chief Planning Officer for approval, subject to the conditions set out in the submitted report, an additional condition in respect of restricting the car parking to use only by occupiers of the building (and any other conditions which he might consider appropriate) and also the completion of a Section 106 Agreement to include the following obligations:

- provision of 5% (5no.) affordable housing units
- £6,000 to make a number of existing TRO's in the area 'No Waiting at Any Time'
- £23,259 public transport infrastructure contribution
- £2,635, travel plan review fee and travel plan measures including travel plan co-ordinator
- £7,360 provision of free trial membership of the city car club
- £11,200 car club parking bay works
- local employment initiatives
- any other obligations which arise as part of the application process

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

**23 Application 14/02604/ADV - Application for advertisement consent to display advertising via the existing media screen - The Carriageworks, 3 Millennium Square, Leeds, LS2 3AD**

Photographs were displayed at the meeting

Members considered a report of the Chief Planning Officer on an application for advertisement consent related to the introduction of commercial television broadcasts to the existing digital media screen located to the Carriageworks building on Millennium Square

A letter of objection to the proposals from Leeds Civic Trust had been received

A detailed discussion took place on the proposals, particularly around the level of commercial and other advertising, which was stated in the report as being no more than 30%. Members were informed that the percentage proposed was in line with that existing in other Local Authorities

The Chief Planning Officer advised that the Panel needed to consider the planning aspects of the proposals and that it would be for the Chief Libraries, Arts and Heritage Officer and the Executive Member for Digital and Creative Technology, Culture and Skills to consider issues beyond this. The Chief Planning Officer advised that Members' concerns would be conveyed to Councillor Yeadon

The context of the proposals was referred to and the need for income generation by the Council. The possibility of the Council being able to use the screen to advertise jobs and events was also raised

In view of the concerns the Panel had about the extent of the advertising content and the need for clarity on this point, Members proposed to defer consideration of the application

**RESOLVED** - To defer determination of the application to enable further information to be obtained on the level of advertising being proposed and for a further report to be submitted to the next meeting

**24 Application 13/04824/IOT - Outline application for development of circa 70 dwellings, including access works - Land near Ring Road and Calverley Lane Farsley LS28**

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

Officers presented the report which sought approval of an outline application for a residential development of around 70 dwellings, together with access works on a 2.8ha Protected Area of Search (PAS) site close to the Ring Road and Calverley Lane. A larger PAS site was situated to the north east, known as Kirklees Knowl, which was the subject of an appeal against non-determination. Although the report had indicated that the decision of the appeal was expected, Members were informed that the Public Inquiry was to be reopened, with the Secretary of State's decision possibly being made available by the end of the year

Officers reported the receipt of further representations from Farsley Residents Action Group (FRAG) and 10 separate objectors. A letter had also been sent to the Chief Planning Officer and further representations from Councillor A Carter and Councillor Wood had been received and were read out to Members

The Panel was informed that although the majority of the matters raised in the additional representations had been addressed in the report, FRAG had submitted their own bat survey. The Council's Nature Conservation Officer had considered this and was satisfied with the original recommendation and comments as set out in the submitted report. For clarity, the further comments of the Council's Nature Conservation Officer were read out to Panel

In terms of the principle of development, Members were referred to the Council's Interim PAS policy which had been approved by the Council's Executive Board on 13<sup>th</sup> March 2013, which had sought to ensure the availability of a 5 year supply of deliverable housing land delivery by selectively releasing some designated PAS sites in advance of the preparation of the Site Allocations Plan. In terms of the criteria drawn up within the Interim PAS policy, the subject site was considered to meet all three of the criteria which had been set and was therefore acceptable in principle. Officers had also concluded that there was no clear link between the site and Kirklees Knowl for example no joint access was required

Reference was made to Counsel's opinion provided by the applicant on the cost implications of further delay in consideration of the proposals pending

the Kirklees Knowl decision and the view of Legal Services on this, as outlined in paragraph 10.28 of the submitted report

Issues relating to highways, visual amenity, character and residential amenity were outlined. If minded to accept the Officer's recommendation, further conditions were proposed regarding provision of parking spaces for the recreation ground; the submission and approval of a construction management plan and an additional S106 contribution of £65,000 for a cycle/pedestrian route from the Ring Road to Dawson's Corner if the Kirklees Knowl site was developed within 5 years, with the sum being returned if this was not the case

The Panel then heard representations from an objector who attended the meeting and provided information which included:

- the impact of the proposals on the Conservation Area
- bats
- the Interim PAS policy
- the previous views of an Inspector in respect of the Kirklees Knowl site
- sustainability issues
- possible further action if the application was approved
- the need to defer determination of the application for a further bat survey and the Secretary of State's decision on Kirklees Knowl

Through questioning by Members, reference was made to legislation in respect of ecology and planning; the minimum number of bat surveys to be undertaken and a recent relevant legal case

The Panel then heard representations from the applicant's agent who attended the meeting and provided information which included:

- the application met all of the criteria in the Interim PAS policy
- the Kirklees Knowl site was separate to the subject site
- the S106 requirements had been met
- the applicant's ecologist was satisfied the guidelines had been met and the Council's Nature Conservation Officer was also content with the ecological information which had been submitted
- planning permission had been granted on other PAS sites in Leeds

The Panel discussed the proposals, with the main issues being:

- the timing of the application and the desire of the applicant to pursue this rather than waiting until the Kirklees Knowl appeal decision had been made (where the date for re-opening the Inquiry and Secretary of State's decision had already been considerably challenged)
- that this site and the Kirklees Knowl site were inextricably linked and that considering this application was premature
- education provision
- the bat survey and the court case referred to by the objector
- the nature of the legal advice given to Officers

- the reference to this site and Kirklees Knowl in the UDPR
- the highway contributions
- the impact of a decision on the application in relation to the Kirklees Knowl inquiry

Officers provided further information, with the Panel being informed:

- the legal case referred to by an objector was case specific and examined the issue around a bat survey and the need for sufficient information to be provided to a Plans Panel to enable it to carry out its statutory duty in respect of protected species
- the Council's legal advice on the facts of the case, i.e. the delay in determining the application and that there would need to be a clear link with the Kirklees Knowl decision to justify delaying consideration of the application for the subject site
- the view of the UDP Inspector who stated that the two sites should be considered together, however that had been superseded by the introduction of the Interim PAS policy and the NPPF
- that for the subject site, a range of highway works was proposed and these would not change if the Kirklees Knowl site became available. Works which were variable would be the works to the junction of the Ring Road
- that the Kirklees Knowl inquiry had been reopened to consider two issues; the 5 year land supply, (following the Core Strategy Inspector's Proposed Modifications) and a challenge to ecological issues regarding bats. Regarding the Kirklees Knowl site, this did not fit with the Interim PAS policy. Although the Interim PAS policy was a material planning consideration it was not part of the Development Plan, which along with policy N34, was the starting point for the determination of the application
- that the Council had a 5.8 year land supply (including PAS sites such as the application land) in a mix of brownfield and greenfield sites which helped to create a positive development context
- that the credibility of refusing large sites depended on the LPA's approach to dealing with small sites, in accordance with the Interim Policy

The Panel continued to discuss the application, with the following points being made:

- that the application had been submitted and had to be dealt with
- that a decision on the Kirklees Knowl site could be some way off
- that the issues of bats had been considered and the comments of the Council's Nature Conservation Officer had been provided
- that the required S106 contributions were being offered
- the nature of the link between the two sites; the length of time the owner had waited to develop the site and why a decision at this time was critical, rather than waiting for the Secretary of State's decision on Kirklees Knowl



- the impact of the Ring Road on the amenity of the residents who would live on the site; that further work was needed to protect their amenity and concerns about noise issues. Members were informed such issues would be dealt with at Reserved Matters stage
- the narrowness of Calverley Lane; the view that works could be done to overcome this; concerns that the proposed highway works would not sufficiently mitigate for the traffic movements and that the highways proposals were not adequate. The Transport Development Services Manager provided further details of the works to be undertaken and the road widths. Members were also informed that a road safety audit of all the off-site highway works would be requested

The Panel considered how to proceed:

**RESOLVED** - To defer and delegate to the Chief Planning Officer for approval, subject to provision of a satisfactory road safety audit; the conditions set out in the submitted report; additional conditions providing 8 parking spaces on the highway and 12 parking spaces on site for the recreation ground; submission and approval of a construction management plan and following completion of a Section 106 Agreement to cover the following matters:

- affordable housing 15% provision with 50% social rent/50% submarket housing
- education contribution of £333,467.08 (based on 70 houses, contribution would vary depending on final number of units)
- transport SPD contribution figure of £826 per dwelling
- metrocard contribution figure of £462 per dwelling
- travel plan review fee of £2,500
- contribution of £40,000 towards the improvement of Rodley roundabout
- greenspace contribution of £1511.20
- £65,000 for a cycle/pedestrian route from the Ring Road to Dawson's Corner in the event the development proposals on the Kirklees Knowl site were allowed; this sum to be ring fenced for this specific purpose and to be returnable in 5 years if it was not used

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, Councillors C Gruen, P Gruen, G Latty and Walshaw left the meeting

**25 PREAPP/14/00566 - Land Off West Street, Land Off Domestic Road, Land Off Victoria Road, Land At Hunslet Lane, Land At Inner Ring Road/Woodhouse Lane, Land At Crown Point Road, Meadow Lane, Clay Pitt Lane, Leeds**

The Panel considered a report of the Chief Planning Officer on emerging proposals for the development and rationalisation of the Council's advertisement portfolio and received a presentation from representatives of the Council's chosen contractor for the ongoing management of this portfolio

Plans, photographs and graphics were displayed at the meeting

Members were provided with an overview of the proposals for 10 individual sites located within or close to the City Centre boundary, mainly on arterial routes

The report before Panel provided details on each of the sites and the type of hoarding proposed, although Members were updated on the Claypit Lane site where a digital advertising hoarding was now proposed. Members were also informed that as part of the rationalisation process, 22 hoardings would be removed from a total of 10 sites

The following information was provided:

- there were 46 displays around the periphery of the City Centre, with many of these looking dated
- the aim of the scheme was to bring Leeds into line with other leading cities in terms of its advertising portfolio and make the City into one of the top five media destinations
- that half of the existing displays would be removed and a more bespoke approach would be taken to the new displays
- that industry standard sizes would be used, i.e 3m x 12m; 5m x 7.5m; 3m x 6m
- that only Claypit Lane would be a digital sign, with the static signs being changed on a fortnightly basis
- that the monopoles would be a design which would be unique to Leeds
- that discussions were continuing with Officers to select the most suitable locations, with regard also being had to highway safety

Members commented on the following matters:

- the Claypit Lane site, with concerns about a digital display leading to distractions for road users
- the Crown Point Road site and that regard should be had to the nearby Conservation Area and heritage assets
- the stability of the structures
- the need for large images to be provided when the scheme was next presented to Panel

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

- that in general the visual impact from the proposals was acceptable and appropriate, although concerns remained about the proposed displays at Clay Pit Lane and Crown Point Road
- that in respect of any adverse highway safety implications arising from the proposed advertisement hoardings, that further consideration should be given to this, particular the maintenance of the static signs in the central reservation and that road closures resulting from such maintenance would not be acceptable. Members were informed that as part of the formal

application process, the applicant would undertake road safety audits and present these alongside the application

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

During consideration of this matter, Councillor R Grahame left the meeting

**26 Date and Time of Next Meeting**

Thursday 7<sup>th</sup> August 2014 at 1.30pm in the Civic Hall, Leeds