

## **CITY PLANS PANEL**

**THURSDAY, 29TH JANUARY, 2015**

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

Councillors P Gruen, R Procter,  
D Blackburn, S Hamilton, G Latty,  
T Leadley, E Nash, N Walshaw, M Ingham,  
C Campbell, C Gruen and S McKenna

### **115 Chair's opening remarks**

The Chair welcomed everyone to this additional meeting of City Plans Panel and stated that this would be Phil Crabtree's last meeting before he retired from the Council after being Chief Planning Officer for eight years. At the conclusion of the meeting, a presentation would be made to him, although the Chair wished to place on record how helpful Phil had been to all Members during his time in Leeds

Members and Officers then introduced themselves for the benefit of the public attending the meeting

### **116 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

### **117 Apologies for Absence**

Apologies for absence were received from Councillor J Lewis, with Councillor S McKenna substituting for him

### **118 PAS site appeals - update**

The Chief Planning Officer informed Members that the PAS site at Scholes, which Panel had considered for residential development at the meeting held on 28<sup>th</sup> August 2014 (minute 40 refers) and had refused the application, was now the subject of an appeal

In respect of the site at Grove Road, Boston Spa, a letter had been received today from the Planning Inspector to advise that the Secretary of State's decision on Grove Road could not be expected until around 15<sup>th</sup> June 2015. Members were informed that a similar letter was expected on the site at Kirklees Knowl

### **119 Proposed site visit**

Draft minutes to be approved at the meeting to be held on 5<sup>th</sup> March 2015

The Head of Planning Services referred to a visit to Sheffield to view a scheme and which was to take place on 3<sup>rd</sup> February. In view of those able to attend; the weather and the timescale for the application, a visit in late March was proposed, with Members being in agreement, subject to being informed as soon as possible of the date of the visit

**120 Application 12/02571/OT - Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping - Land between Wetherby Road, Skeltons Land and York Road LS14 - Position statement**

Further to minute 117 of the City Plans Panel meeting held on 10<sup>th</sup> December 2013, where Panel received an update report on an outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on a site known as the Northern Quadrant of the East Leeds Extension, the Panel considered a further report setting out the current proposals, particularly in respect of the East Leeds Orbital Road (ELOR)

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

Officers presented the report and outlined the progress made on the scheme since it was last presented to Panel, which included:

- the programme for delivery of ELOR, with the Council taking a leading role in this
- funding of ELOR through the West Yorkshire Transport Fund
- timescales, in terms of build out rate and delivery of ELOR, with Members being informed that ELOR could be open around 2021, with housing development on the site commencing by 2018, with circa 250 houses anticipated being constructed between 2018-2021; these being confined to two parts of the site in discreet cul-de-sacs from new site access/ELOR roundabout junctions at the A58 and A64
- further public consultation which had been carried out

Details of the green links which would be made from the site to Roundhay Park; Whinmoor Grange and the new, Green Park, within the Thorpe Park development were outlined, together with the proposed new East Leeds Country Park along the edge of the East Leeds Extension

Members were also reminded of the location within the site of the neighbourhood facilities, which would include retail; health and community facilities and older people's housing on a 0.86ha area of the site. A two form entry primary school was proposed and would be sited north of Skeltons Lane

Recent exhibitions had been held on the proposals and whilst there was broad support for the scheme, local concerns continued to be raised about highways issues; access and public transport routes

Further details were then provided to Panel on the funding for the provision of ELOR, with the majority of this being funded by the public sector

from the West Yorkshire Transport Fund, with a requirement for a contribution from the private sector. Members were informed that the Stage 1 Business Case had been submitted to the West Yorkshire Combined Authority earlier in the week

In terms of developer contributions, a roof tax or levy would be applied to each house to be built which, for the Northern Quadrant development, would recover the full cost of that section of ELOR once all homes were completed. This amount would also include provision for inflation and contingency, with the developer contributions forming an important part of the Business Case being made by the Council. The roof tax would be the means by which developer contributions would be sought in future applications in other parts of the East Leeds Extension

A planning application for the whole route of ELOR would be submitted by the Council in early 2016, to incorporate the section of the road within the Northern Quadrant scheme. The construction period was programmed for 2018-2021, which would dovetail with the work on the Manston Lane Link Road, which was to be completed by the end of 2017. In addition, to the main ELOR works, the project would also involve improvements to the existing A6120 Outer Ring Road junctions with Park Lane; the A61 Harrogate Road and King Lane, as well as significant environmental improvements to the Outer Ring Road through Seacroft/Whinmoor and Cross Gates. Members were informed that the Council was now in a good position to bring forward the ELOR scheme on the basis described but were reminded that it would be a major and complex infrastructure project

Members then received a presentation on the detailed highway implications of the development, including the strategic benefits of ELOR; improvement works required as part of the development of the Northern Quadrant site; local traffic issues and received details on public transport proposals together with cycle and pedestrian routes. Mitigation measures at three existing outer ring road junctions was described; that the ELOR programme would provide the road in advance of development impacts that would otherwise be considered problematic. In terms of local traffic impacts and potential rat-running, existing issues were described and how existing congestion on the outer ring road and key junctions contributed. The benefits of ELOR and various road closures to local traffic were described and that the proposed road closures had generally been well received but some reservations relating to Red Hall Lane remained. The phased approach to enhanced public transport proposals was described together with the network of cycle and pedestrian routes. In respect of leisure accessibility to Coal Road, a footbridge had been considered, however, this would not be pursued for several reasons which included the loss of trees, but the layout of the site would be future proofed so that any future opportunity to provide a footbridge would not be prejudiced

Members were informed that ELOR would remove general congestion on the Outer Ring Road which would make the existing routes more attractive and would provide an alternative, high speed route. On the siting of ELOR, this would be a significant distance from residential dwellings and be sited in a 1m deep cutting to help with the visual impact of the road

Regarding local concerns about the closure of Red Hall Lane and rat running, this situation would be monitored and the closure removed if required

Details of the S106 package were outlined to Panel, with Members being advised that priority was given to ELOR and that with the exception of affordable housing provision, all other matters complied with policy. On affordable housing, the policy requirement was 15%, however only 10% was guaranteed on site. Members were informed there was provision for 1% further affordable housing if the contributions in respect of the integrated public transport strategy and Metro Cards were redirected. A further 1% affordable housing - to provide a total of 12% - could be achieved by accepting a reduction in the sum towards the cost of the Northern Quadrant section of ELOR, however Members were informed this provided additional risk to the Council in respect of the business case for funding of the road

The Panel was advised that the introduction of the Community Infrastructure Levy (CIL) on 6<sup>th</sup> April 2015 did have implications for this application in terms of the S106 contributions, in the event the application had not been determined and planning approval issued by 2<sup>nd</sup> April 2015

The Chief Planning Officer commented on the positive direction of the proposals; the Council's lead in the delivery of ELOR and the provision of older people's accommodation on the site and stated that support for the application would help with the funding case to West Yorkshire Transport Fund

Members congratulated the Officer team on their comprehensive presentation and detailed report and commented on the following matters:

- the design of the bund to prevent noise spillage from the ELOR and whether there was a technical design for this. The Chief Planning Officer stated that a full application would be submitted for ELOR which would be accompanied by an environmental assessment and would need to address the issue of noise impact
- the need for Executive Board to agree the specific financial implications for the Council once the details of the S106 had been established; the need for Members to see the inter-relationship and certainty between these two matters and how practically this would work. Members were informed that early consideration of the application by City Plans Panel would enable a report to be taken to the next scheduled Executive Board for consideration of these matters
- the impact of the closure of Thorner Lane on the new cemetery. The Highways Officer in attendance advised that what was proposed was a point closure and that when ELOR was constructed it would provide an alternative, better, safer route
- the road closure at Red Hall Lane with concerns at the impact on the high level of through traffic along this route and Thorner Lane. Members were informed that the closure would only occur when alternative routes back to the proposed spine road and new A58 roundabout for the development were in place. Concerns continued to be raised about the closure of Red Hall Lane, with the Chair agreeing that further consideration could be given to this
- that the proposals provided an opportunity to address some of the transport issues from the 1970s

- issues of land ownership and how development would be controlled as parts of the site could become available at different times. Members were informed that the Master Plan in the Design and Access Statement would control this issue; that the principle of the spine road and location of the local centre and school would be fixed and that as phases of development came forward, they would have to accord with the Master Plan. The Chief Planning Officer stated due to the critical nature of the phasing, the process would be managed with the Master Plan being subject to a planning condition to set the framework against which landowners would sell their plots
- the possibility of the roof tax being renegotiated by the developer. The Panel was advised that the roof tax was set by reference to the cost of the road which was based on the price, with inflation factored in, plus an element for risk and contingency. If the amount of houses changed through the Reserved Matters process, the roof tax amount would change but not for issues of viability. Discussion took place on this, with the Chief Planning Officer informing Members that when determining the outline application for the development, information in respect of viability would be provided and that a package of contributions had been guaranteed
- the scale of development in East Leeds; that this proposal was the first of many residential developments to come forward and there was a need for it to be right and to set the standard for the expansion of this part of Leeds
- the good working relationships which had been forged between all parties during the progression of this scheme and the hope that the positive relationship with the major developer of the scheme would continue
- the need for a similar approach to be adopted to the delivery of ELOR as if it was being undertaken by the private sector, with a request being made for a letter of comfort from the Chief Executive of Leeds City Council giving a clear commitment to ELOR by the Council
- the anticipated completion of ELOR by 2021 and the hope this could be brought forward
- the need for phasing that protects established settlements
- the need to ensure funds were available to take corrective action in respect of local traffic, if this was needed
- the importance of public transport and cycling infrastructure and that the opportunity for this should not be missed
- the S106 contributions and that 15% affordable housing was required. Concerns were raised that the level of affordable housing was often the first element developers sought to reduce, if viability was an issue; that the Council had a policy on the level of affordable housing required which should be adhered to and that on a greenfield site, as this was, it was not

clear where any unusual costs would lie, which could affect viability

- that local Ward Members would prefer affordable housing rather than the provision of Metro Cards
- the build out rates; that these were considered to be low; the need for a phasing schedule across the whole of the site to be provided and for the greenspaces to be provided as the development progressed, rather than being the last element to be delivered
- the impact of the development proposals, over a long time period on the existing housing developments close to the site and the need for a schedule to be provided which demonstrated the construction methodology to mitigate against noise, dust, etc

The Chief Planning Officer commented on the collaboration which had been a feature of this scheme and was of the view that the level of objections in view of the scale of the proposals bore out the model which had been used in this case of involvement with Ward Members; Officers, developers and residents. In terms of the smaller land owners across the East Leeds Extension, there was a strong incentive for them to work with the Council as the road would be required in order for the development to progress and their land to be sold

In response to the specific points raised in the report, the Panel provided the following responses:

- that Members were content on the approach to the funding and delivery of ELOR but required a letter of comfort from the Chief Executive of Leeds City Council
- on the S106 package and the provisions to enhance the level of affordable housing through the use of potential surplus roof tax, there were concerns that the level of affordable housing did not comply with policy and that over the development period of 15 years, it was difficult to explain to residents why the full amount of affordable housing was not being provided. It was accepted that this matter would be discussed in greater detail once the financial information was provided to Panel when the application was considered for determination, but the strong view of the Panel was that more affordable housing should be sought than was currently being offered
- to note that Ward Members were content for the funding for Metro Cards to be diverted to increase the level of affordable housing; that provision of improved bus services was a higher priority than subsidised travel and whilst there might be some flexibility, ultimately Panel was being asked to consider a lesser package of benefits
- that Members were satisfied on the proposal to use potential surplus roof tax to refund other parts of the S106 package in the future, such as the Integrated Public Transport Strategy
- that the provision of additional affordable housing should be provided on-site
- the need to understand the extent of the older people's housing provision and the community facilities on the land being

provided, i.e. what was included and who would build and finance these

- the need to address the issue of construction methodology and to ensure mitigation measures were in place to protect the amenity of existing residents close to the site and as development progressed, on site
- the need for further information to be provided on pupil numbers in the schools closest to the site
- that water butts should be a requirement for all homes within the scheme, rather than offered as an option to residents

The Chair thanked Officers for the quality of the report; the presentation and their engagement in this scheme

**RESOLVED** - To note the report, the presentation and the comments now made and that the final report seeking determination of the application should address all the issues raised

## **121 Closing remarks**

Prior to a private presentation from the Panel to Phil Crabtree, Chief Planning Officer, to mark his retirement, the Chair on behalf of the Panel thanked Phil for his work across all three Plans Panels and wished him well for a long and happy retirement

## **122 Date and Time of Next Meeting**

Thursday February 12<sup>th</sup> 2015 at 1.30pm in the Civic Hall, Leeds