

CITY PLANS PANEL

THURSDAY, 16TH APRIL, 2015

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, D Blackburn,
S Hamilton, G Latty, T Leadley, E Nash,
N Walshaw, M Ingham, J Lewis,
C Campbell, C Gruen and B Anderson

163 Chair's opening remarks

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

164 Exempt Information - Possible Exclusion of Press and Public

RESOLVED – That the public be excluded from the meeting during consideration of the following part of the agenda designated exempt on the grounds that it is likely, in view of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as designated as follows:

The appendix to the main report referred to in minute 172 under Schedule 12 Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4(3) and on the grounds that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

165 Late Items

The Chair admitted one late item of business to the agenda (minute 170 refers). The report was not available at the time the agenda was despatched and required urgent consideration as the report outlined changes to national planning legislation, some of which came into effect on 15th April 2015, which Members would need to have regard to

The Panel was also in receipt of supplementary information – this being the minutes of the City Plans Panel meeting held on 26th March 2015 and a copy of the draft Revocation Order in respect of the former Yorkshire Chemicals site (minutes 168 and 171 refer)

Copies of all three of these documents had been circulated in advance of the meeting and had been published on the Council's website

166 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable interest

Councillor P Gruen brought to the Panel's attention that he was a Director of the Ruth Gorse Academy Trust and that he had declared this at all Board meetings and had not taken part in discussions relating to the proposed new Academy, in order that he could fully participate in the planning discussions (minute 174 refers)

Councillor S Hamilton also brought to the Panel's attention that she was a Governor at Hillcrest Primary Academy (minute 174 refers)

167 Apologies for Absence

Apologies for absence were received from Councillor R Procter, with Councillor Anderson attending in her place

168 Minutes

RESOLVED - That the minutes of the City Plans Panel meetings held on 5th March 2015 and 26th March 2015 be approved

169 Matters arising from the minutes

With reference to minute 149 of the City Plans Panel meeting held on 5th March 2015, relating to application 12/02571/OT – land between Wetherby Road, Skeltons Land and York Road LS14, Officers were asked whether the applicant for the major, residential-led development known as the Northern Quadrant of the East Leeds Extension, had completed the S106 Agreement on the terms sought by Members in relation to the level of affordable housing provision. The Head of Planning Services advised that this had not been signed and that the application would be considered under CIL, with negotiations continuing on affordable housing levels, with a further report being brought to Panel in due course, following discussions with Ward Members

170 Update report on changes to National Planning legislation

The Head of Planning Services presented a report which outlined the changes to national planning legislation which had been made by the Secretary of State Communities and Local Government and been announced shortly before the end of the Parliamentary session

The main areas affected by the changes were outlined, with these being:

- Sustainable urban drainage
- Permitted Development and Use Classes

- Development Management Procedure Order
- Housing Standards
- National Planning Policy Guidance

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

- the nature of the changes; the lack of consultation and the need for a written response to be sent to the Secretary of State on these changes in due course
- the implications of the changes, particularly to the Use Class Order and how this could affect areas of the city
- the housing standards; the size of units and the process for adopting these standards
- the conversion of agricultural buildings to residential use and how Permitted Development rights related to such conversions
- the requirement for applications for a betting shop or pay day loan shop to require planning permission, which was supported and welcomed by Panel
- the need for these issues to be covered further in a future training session for Members

RESOLVED - To note the contents of the report and the comments now made

171 Revocation of Hazardous Substance Consents - Former Yorkshire Chemicals Site, Otter Island, Wellington Road, Leeds

Further to minute 189 of the City Plans Panel meeting held on 8th May 2014, where Panel resolved to defer and delegate approval of a residential development on the former Yorkshire Chemicals Site, Otter Island, Members considered a report seeking approval to pursue a Revocation Order to revoke hazardous substance consents as this did not form part of the Council's scheme of delegation to the Chief Planning Officer

The Deputy Area Planning Manager informed Members that the former use of the site ceased many years ago but that the hazardous substance consents remained and that agreement was sought to the formal process to remove these consents for the whole site

An error on the draft consent order which referred to Calverley Lane Horsforth, was corrected

Members were informed that the applicant was willing to work with the Council on this and would indemnify the Council's costs

RESOLVED - To grant authority to pursue a Revocation Order under Section 14(1) of the Planning (Hazardous Substances) Act 1990 (as amended) for all extant hazardous substance consents at the former Yorkshire Chemicals site Kirkstall Road Leeds

172 Application 14/06808/FU - Residential development of 272 houses with associated roads and infrastructure - Land north of Tyersal Lane, Tyersal

Plans, photographs, drawings and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day which had included viewing a site at Bierley in Bradford, which had been developed by the same applicant

Officers presented a report which set out the current position in respect of an application for a major residential scheme on a large, greenfield site, situated on the edge of Leeds. Members were informed that the site had been allocated for employment land since 1996 but in the Site Allocation Plan, Issues and Options, housing use was proposed

Details of the housing types were outlined, with concerns being expressed about some of the design elements of these

A landscaped buffer was included in the scheme, however this was partly on land not within the applicant's ownership and it was the view of Officers that such a buffer should be sited on land owned by the applicant

In terms of planning contributions, no affordable housing was being proposed and the extent of the greenspace contribution offered was 36% of that required by policy. A possible method of securing some funds towards affordable housing and additional greenspace on the site was through a S106 Agreement whereby if the houses sold for higher than was in the submitted financial viability assessment, this excess could be clawed back and used for these purposes

At this point the public were asked to withdraw from the meeting to enable the Panel to consider the financial viability information in private

The Panel considered the information in the exempt appendix, with the main issues raised relating to:

- land values
- projected sale price for the houses
- profit levels
- likely build costs and concerns about the quality of the houses
- the definition of an affordable home

Following these discussions, the Chair invited the public to resume their seats in the meeting

Members discussed the proposals with concerns being raised about the absence of affordable housing provision; the low level of greenspace being proposed; the need for the buffer to be on land in the applicant's ownership; that the former railway land should be included so as not to leave an undevelopable area; design issues which included poor fencing; the extent of tarmac; size of garages; siting of car parking and the need for useable areas of greenspace

In respect of education and recreation contributions, Officers were asked to note the comments of Bradford Council, as set out in the submitted report and to consider these when dealing with residential applications in areas such as Menston

In relation to the specific questions posed to Members in the submitted report, the following responses were provided

- that Members support the principle of residential development
- that Members did not agree that the benefits of the scheme outweighed concerns which related to the layout and design of the scheme
- that Members did not accept the nil provision of affordable housing on the site. In respect of a S106 including affordable housing only if the properties sold for higher prices than those forecasted in the submitted financial appraisal, this was an area for further discussions between Officers and the applicant
- that a reduction in on-site greenspace provision might be considered but not as large as that being proposed
- that the 10m landscaping buffer was adequate and needed to be provided on land within the ownership of the applicant

It was noted that the target date for determination of the formal application was 20th April 2015. A representative of the applicant was in attendance and was invited by the Chair to address the Panel on the issue of whether an extension of time could be agreed to for determination of the application and also on the issue of affordable housing provision

Members were informed by the applicant's representative that the low cost housing being provided in this scheme met the definition in the NPPF of affordable housing; that there was no way forward of reaching agreement on this, although the applicant might consider a re-test at a later date to demonstrate the scheme remained unviable if the usual planning contributions were made. The applicant's representative also stated that CIL was being paid in full and made reference to the comments made about the house types

Having considered these comments, the Panel considered how to proceed

RESOLVED – To defer and delegate detailed reasons for refusal of the application to the Chief Planning Officer on the following grounds:

- lack of affordable housing
- deficiency in the level of public open space on the site
- concerns about the N24 planting
- design concerns, including plot layout; car parking, fencing and landscaping

173 Pre-application/Position Statement - Kirkstall Forge Development

Photographs, drawings and precedent images were displayed at the meeting

The Panel considered a report of the Chief Planning Officer setting out the progress of the Kirkstall Forge development in accordance with the outline planning permission 11/01400/EXT for a major mixed-use development to include residential, commercial, retail and leisure uses together with site remediation; construction of bridges, river works, parking and landscaping

Officers presented the report; outlined the historic relevance of the site and commended the cohesive way in which the site was being brought forward, with the development being likened potentially to Saltaire, in that the facilities provided on the site would be used by the people who lived there

The Panel then received a presentation on the current position on behalf of the architects involved

Members were provided with details of the scheme which included:

- connectivity of the site and that a key link would be the new bridge link to the new railway station – referred to as ‘the stitch’
- the provision of two key gateways, one being Forge square and the other being the water gardens
- the creation of a new boulevard which would be south facing to the River Aire and a series of perpendicular routes down to the river
- that a one form entry primary school at the western end of the site was being considered
- building heights, these being mainly 6 storeys with some 7 storey buildings on the south side; increased height on the area referred to as the ‘nose cone’ and lower heights to the north, of 3 – 4 storeys for the residential dwellings
- that a design guide had been drawn up which included ten distinct character areas
- site ‘A’, located at the end of the island and that two blocks of bespoke, private rented accommodation was proposed of around 200 units in total (with around 40 private for sale units), all of which would provide good views to the valley and would benefit from generous amenity space, with good levels of sun light through the day and late evening
- that to generate a sense of community, there would be one entrance per residential block with a café situated at the base of one of the blocks
- proposed materials would comprise brick, masonry and glazing for the residential elements with metal in bronze/gold tones being considered for the commercial unit, together with brick work
- site ‘B’ which would be the office block; that this was in a key location, directly connected to the railway station; it would attract inward investment to Kirkstall Forge; would provide commercial accommodation to a BREEAM ‘excellent’ standard and would take advantage of the views which would be an additional attraction
- detailed design issues relating to the fenestration to the commercial block and how this related to some of the historic mill buildings
- that the proposed houses on the site would use the ideas of courts, terraces and roof gardens, together with integrated parking, vibrant use of streets and landscaping, with a new housing typology being proposed
- that the next steps would be to continue the collaborative process and work up the Reserved Matters applications

The Panel then heard representations from Councillor Illingworth - a Ward Member - who outlined the following issues in respect of the proposals:

- S106 contributions and that consideration be given to directing funds to the Hawksworth Estate in view of the level of need in this part of the area
- Transport – walking and cycling – that the scheme provided an opportunity to create an extensive walking and cycling route; through to Apperley Bridge; the need to improve the tow-path access, particularly as cyclists conflicted with pedestrians at this point; the need to address the capacity on Route 66
- concerns about remedying the civil engineering problems at Burley Rugby Club in view of the narrowness of the pathway and the likely expense of addressing this issue
- road access – the need to plan ahead for additional road capacity, especially at Kirkstall gyratory
- the need to consider other, planned developments in the area which will increase the amount of car journeys on the local road network
- rail – that the new railway station was welcomed but there was a need for railway stations at Armley and Kirkstall Bridge to be re-opened
- that trains from Skipton needed to stop at Kirkstall Forge station
- there was a need for four tracks on the Aire Valley railway line

Members discussed the report and presentation, with the following key Issues being raised:

- the need to ensure the walk through from the station into the development was well lit to provide a safe, welcoming route at night time
- levels of car parking at the station and whether the 132 spaces would be sufficient to cater for the numbers using the new station
- the restoration of the historic houses on the site
- flooding
- the extent of job creation arising from the proposals
- the size of the units and how these related to the Leeds Standard
- pedestrian connectivity and the need to link a crossing point to the side of the railway
- the need for a further presentation on the scheme to inform Members how it was progressing and for further details to be provided on other elements of the scheme, rather than focussing primarily on the residential and commercial buildings
- the need for a site visit

Members commended the holistic approach being adopted by the applicant and the excellent partnership which existed on this project

In relation to the comments made by Councillor Illingworth, it was suggested that Councillor Illingworth discuss these issues with Officers and that a report on the points raised be brought to Panel in due course

In response to the specific issues raised in the report, the Panel provided the following comments:

- to note Members' comments about the development of the site and that Members were content with the approach being taken so far to the phasing of the different elements of the scheme and that as phases were brought forward that they should be set within the overall context of the site as a whole
- that further details were needed on the design quality of the residential and office blocks proposed as part of Phase 1, but that to date, they were developing well
- that further details were needed on the general siting of the buildings and the spaces between them, including the distances between facing windows for privacy and overlooking

Following consideration of this matter, Councillors Campbell, Lewis and Walshaw left the meeting

174 Preapp 15/00032 - Proposal for new secondary school at land on the east side of Black Bull Street - The Ruth Gorse Academy Hunslet

Plans 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 pre-application proposals for the Ruth Gorse Academy, a new academy for Leeds, to be sited on land at Black Bull Street Hunslet. The Panel also received a presentation from the Principal of the Academy and representatives of the development team

Details of the proposals were outlined to Members, with these including:

- the ethos of the academy
- pupil numbers; that these would rise progressively on the Morley Academy site before transferring to the Black Bull site, with eventually 1580 students being on roll there
- the areas of Leeds the academy would serve
- the level of support locally and nationally for new schools
- details of the consultation process
- the key constraints close to the site, in terms of noise and pollution from Black Bull Street
- the design of the building, with the provision of a community hub which would include the indoor sports provision, with the main teaching areas being located in two wings leading off from the hub
- that a strong edge to Black Bull Street would be created
- that the school would present a façade to the street and that the main entrance would be off Black Bull Street
- that the car parking area would be to the north of the site as would the external access and drop off point
- the proposed materials would be red brick and slate grey cladding to the hub

- in terms of scale and massing, it was felt that the four storey humanities block related to the new buildings which were sited on Chadwick Street
- the site was accessible; in easy walking distance of the city centre and that a NGT stop was proposed close by
- discussions were continuing with Highways about how to enhance the walking routes; that an additional pedestrian crossing was likely to be included and that Black Bull Street would be narrowed to two lanes of traffic
- that based on data for 2014/2015, the majority of the student cohort would be from South Leeds and that a robust Travel Plan would be developed to address issues arising from these school journeys
- that 30 car parking spaces would be provided on site, with these being allocated to those who most needed them. A staff car sharing scheme would also be encouraged
- the aim was to submit the planning application by 24th April 2015, to enable construction to commence in July 2015 and the academy to be open in September 2016

The Panel discussed the proposals and commented on the following matters:

- the length of time a new high school for South Leeds had been discussed
- the need for a clear mechanism for community use of the facilities to be established
- the need to balance the safeguarding of pupils with providing connectivity through the site, possibly achievable through the proposed car park
- the challenging timescales being proposed and that Panel, whilst recognising the need of a new school would not sanction a development which was not satisfactory

As Councillor P Gruen had to leave the meeting at this point, he put on record his thanks to Councillor J McKenna for chairing City Plans Panel this municipal year

The Panel continued to comment on the proposals, as follows:

- the design of the building, with concerns it did not make a strong enough statement, particularly in comparison to the Leeds College of Building; that the brick element was uninspiring; that the extent of the dark cladding to the community hub element appeared to 'push down on' and visually dominate the ground floor glazed elements
- the level of car parking being proposed; that this was not sufficient; that car sharing would be difficult to insist upon and that additional car parking would be required off-site
- the access arrangements for the car park; the pickup and drop off points and how the pupil spill out areas would work

- the noise levels around the site due to the traffic along Black Bull Street; the need for traffic calming measures, with a 30mph limit being suggested and that acoustic fencing may be required
- highways issues and the need for the traffic lanes at Black Bull Street to be reduced before pupils were on site
- the need to consider the type of internal flooring materials to specialist classrooms to ensure this provided a level of comfort for teaching staff who had to stand for long periods of the day

Members were informed that funding for the project was limited and that the applicants required the largest area of expenditure to be used where teaching and learning would take place. That requirements relating to daylight levels had to be satisfied, which affected the design of the building. Whilst the nearby Leeds College of Building had limited glazing on the workshop elements, this would not be possible for the academy. Similarly the funding streams differed between colleges and academies, with colleges having greater autonomy. The Chair noted these points, but summed up the view of the Panel that improvements could be made to the design of the building

In relation to the specific points raised in the report, Members provided the following responses:

- that the proposed use of the site would be appropriate in principle
- to note the qualified comments in respect of the form, massing, architectural treatment and materials in respect of the regeneration aspirations for the area
- in relation to the boundary treatment, concerns were raised about the proposed paladin fencing to the boundaries; that such fencing was easily vandalised and that an improved form of boundary treatment was required and that more screening should be provided to Black Bull Street to help mitigate against noise levels
- that it was necessary to secure a pedestrian and cycle connection through the site in order to enhance pedestrian connectivity between the South Bank and the rest of the City Centre
- to note Members' comments in respect of the highways and transportation issues

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

175 Preapp 15/00157 - Proposed residential development for 11 town houses, 60 apartments, ground floor concealed car and cycle parking and a small scale ground floor commercial unit - Land at David Street, Holbeck

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

The Panel considered a report of the Chief Planning Officer setting out pre-application proposals for a residential scheme at Holbeck Urban Village (HUV)

Officers outlined the background to the proposals and informed Members that Igloo Regeneration, the proposed developer, had a track record of providing highly sustainable developments and creating vibrant communities. It was noted that Igloo owned and had developed the Round Foundry and Temple Works, with the subject site being the last element of the long-term plan for this unique area

The Panel then received a presentation on the proposals from the developer's agent, with information being provided on:

- layout – that the site provided four active frontages, each one facing a different area; that the central area provided the undercroft car park which would be accessed off David Street
- building heights; that the existing building heights in HUV had been considered and respected in the proposals, with the town houses being three storey and the two apartment blocks being six storeys in height
- amenity space and facilities – all houses would have a garden or terrace space, with each apartment having a balcony area; a ground floor commercial/retail unit was also proposed
- design; lighting and materials

Members discussed the proposals and commented on the following matters:

- the size of the rooftop garden space. It was clarified by the developer's architect that this space was 12m wide
- that the heritage references within the design of the scheme were welcomed
- concerns about the massing of the apartments, particularly in relation to their dominance of the town houses
- the size of the town houses; that these were not three storey, as a small basement area was being counted and that an extra storey should be provided on the houses but that the width of these should be narrower
- the height of the apartment block, with mixed views about this
- the nature of the tenure of the properties

In response to the specific issues raised in the submitted report, the Panel provided the following comments:

- that the principle of proposed uses were considered to be appropriate to Holbeck Urban Village and that Members were comfortable with a mixed use
- to note there were mixed views on the emerging design and scale of the proposals
- that Members were broadly satisfied with the emerging mix and standard of residential accommodation proposed
- that the proposed car and cycle parking provision and access arrangements were acceptable, however the Panel noted the comments of the Transport Development Services Manager who raised concerns about the provision of two access points off

David Street and that further work should be carried out to establish the possibility of not using David Street to directly access the car park

- that the landscaped proposals were considered to be appropriate and to note that the elements of Wonderwood which required removal in order to develop the site, would be re-sited close by
- that the approach to sustainability was considered to be acceptable

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

176 Date and Time of Next Meeting

Thursday 14th May 2015 at 1.30pm in the Civic Hall, Leeds