

CITY PLANS PANEL

TUESDAY, 26TH MARCH, 2013

PRESENT: Councillor N Taggart in the Chair

Councillors P Gruen, D Blackburn,
M Hamilton, S Hamilton, G Latty,
T Leadley, J McKenna, E Nash,
N Walshaw, J Hardy and J Procter

88 Chair's opening remarks

The Chair welcomed everyone to the meeting and referred to the recent opening of the Trinity Scheme by the Leader of Council. The Chair thanked Members who had sat on this panel and City Centre Panel, which had considered the detailed applications for the Trinity development and paid tribute to the efforts made which had resulted in a quality scheme being delivered for the City

89 Late Items

Although there were no formal late items, the Panel was in receipt of additional information in the form of large scale plans of the sites and a letter of representation dated 25th March 2013, which had been circulated to Members on the site visit which had taken place earlier in the day (minute 94 refers)

90 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

91 Apologies for Absence

Apologies for absence were received from Councillor Murray and Councillor R Procter who was substituted for by Councillor J Procter

92 Development Proposals and Current Planning Applications for East Leeds Extension and Thorpe Park

Panel considered a report of the Chief Planning Officer setting out the overall context of the major planning applications in respect of the Northern Quadrant of the East Leeds Extension and Thorpe Park which also included proposals for the formation of a new public park on the Thorpe Park site

Draft minutes to be approved at the Meeting to be held on 9th May 2013

Plans and photographs were displayed at the meeting

The Chief Planning Officer introduced the report and stated that the proposals before Panel represented two of the largest schemes the Council would be likely to see for many years and if they were granted, would result in the transformation of East Leeds

Members were informed that the work on these applications had not been completed and that there were several critical issues still being discussed, e.g. highways and retail impact, East Leeds Orbital Route (ELOR), triggers for this and off-site impacts. However, it had been considered appropriate to bring the proposals to Members to provide an update and enable debate and comment ahead of further reports being presented

Common issues on both of the developments were outlined, these being:

- the delivery of ELOR and the Manston Lane Link Road (MLLR)
- the need for a co-ordinated approach to public transport
- the impact on the local highway network and the M1, Junction 46 and the mitigation proposals
- economic regeneration including local jobs, skills and training and that a commitment was required from the developers

In terms of the Northern Quadrant site additional issues were:

- housing and that the levels proposed would help meet the requirements of the Core Strategy,
- education provision, both for primary and secondary pupils
- community infrastructure, e.g. community and health facilities
- greenspace and cycleways and the need for good connections
- drainage, especially sustainable drainage

RESOLVED - To note the report

93 Application 12/02571/OT - Position Statement - Outline Application for means of access and erect residential development (Circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping to land between Wetherby Road, Skeltons Lane and York Road, Leeds 14

Plans 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 the current position on proposals for a major residential development, including retail, health and community centre facilities, together with a primary school, means of access and associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road, known as the Northern Quadrant of the East Leeds Extension (ELE)

Officers presented the report and began by highlighting the highway issues associated with the proposals, including proposed road closures at Coal Road and Red Hall Lane, the spine road serving the site and the route of the ELOR

The amount of greenspace being provided on the site was also shown, with local concerns about the need for a strong buffer along the side facing the Greenbelt having been taken into account. As the ELOR separated the

road from the Country Park, Members were informed that the developers were amenable to providing a bridge link to this facility and that long term, there would be the opportunity to provide wider links, including to Roundhay Park

The position of the local centre and the primary school were shown. Since the scheme had last been presented, Members were informed that the position of the primary school had changed and was now situated on Skeltons Lane

In terms of phasing of the development, the delivery of the ELOR roundabouts at the A58 and A64 would be delivered early in the scheme, together with separate off-site highway mitigation works, including at the A58, A64 Barwick Road roundabouts with the Ring Road and the Coal Road signals and possibly elsewhere on the network

Construction would commence at each end of the site and delivery of around 693 dwellings and the local centre would form phase 1a

Phase 1b would see around 272 dwellings and the construction of part of the spine road which would join into Skeltons Lane, so providing access through the site. This would then provide the potential to take a bus from the adjacent Grimes Dyke development into the Northern Quadrant site. In the event the Grimes Dyke development was not built, access could be taken from the new roundabout at the A64

Further housing would then be provided, with the final phase seeing the completion of the spine road and the final dwellings

In terms of the S106 considerations, these would be:

- Affordable housing
- Public open space
- Local centre, with space available for retail, health and community centre
- Education contributions
- ELOR – timing and delivery
- Off-site highway improvements
- Public transport
- Employment and training

Members were then given the opportunity to ask questions on the information which had been provided and raised the following matters:

- the wish of the developer to construct around 1200 dwellings before the ELOR was provided and whether there would be sufficient profit generated from the remaining development to construct the road. On this matter, concerns were expressed that as late as the previous week, the East Leeds Regeneration Board had not been informed of this, despite repeated requests for the information
- that money was being put aside to deal with unforeseen issues, the reasons for this and the need for Officers to be certain about all issues before the application was presented for determination
- whether Coal Road could be kept open in one direction and concerns that severing Coal Road could lead to fly tipping
- whether Coal Road to the north could be used as a cycle way

- the possibility that the spine road would become a rat run over time and whether linking the spine road to the Grimes Dyke site was a good idea
- the need for information on the build out rate for the dwellings, in view of one of the developer's indication in the Strategic Housing Land Availability Assessment that 50 units per year was the general construction rate, which would take 24 years, to complete 1200 dwellings on this site before the delivery of the ELOR
- the links from the roundabouts to the M1 and the Ring Road and when these would be built
- how cyclists would be provided for in the scheme
- why the Country Park had not been enclosed by the ELOR and whether Bramley Farm could be saved within the proposals
- the relationship between the housing and the ELOR and whether sound mitigation and buffering would be needed
- the likely target date for determination of the application
- the delivery date for the primary school and whilst a commuted sum for secondary education was being proposed, where the land was to accommodate a new secondary school, which would be needed
- the impact on highways of increased school provision and whether this had been taken into account

It was noted that locally there was support in principle for the development and that considerable efforts were being made to resolve the infrastructure issues associated with the development. The recent Government announcement about funds for infrastructure projects would be pursued. However it was important for these issues to be discussed by all parties in a fruitful way but Members were clear that the developer's proposals for the timing and delivery of the ELOR were not acceptable

Officers provided the following responses:

- that the viability of the proposals was not something Officers could take a view on, based on the information which had been provided but that once commenced, the ELOR between the A64 and A58, would be required to be completed within 3 years, so bringing some certainty to this. The Chief Planning Officer stated that the date of delivery of the ELOR was important and that work was ongoing to confirm a position based on the traffic impact on the local highway network
- regarding unforeseen highways mitigation works, the level of funding to be set aside for this had not been decided upon. Whilst it was the intention to address the issues, invariably there would be issues raised locally and by having some funding, it provided flexibility and allowed for work to be done in the community to address issues which arose over time
- that the alignment of the ELOR did not lend itself for Coal Road to remain a through route. The Chief Planning Officer acknowledged the point raised about possible fly tipping and stated that this would be taken up with the developers

- that Officers were keen to retain a pedestrian/cycle/horse link down Coal Road but the developer had not been able to provide this because of the land take required due to the land levels, although there were benefits to providing cycling on this road
- in respect of the build out rate, this would be 50 units per year for each of the likely developers, starting at each end of the development. The phasing plan indicated a maximum of 200 units per year (including affordable housing)
- that the ELOR/MLLR links outside the Northern Quadrant application from the A64 roundabout to the M1 and the A58 roundabout to the Ring Road were not part of the planning application
- that cycle provision had been included in the scheme although whilst it was continuous, not all of the provision was off-road, based on the current proposals
- concerning Bramley Grange Farm, if the roundabout was moved inwards, it would not be possible to accommodate the spine road. Some concerns were expressed about the potential loss of the farm
- in terms of distances from dwellings to the ELOR, these would be set back from ELOR. This road would also be set 1 metre deeper than the land level and noise mitigation measures in the form of a landscaped bund and area of POS, with cycleways and footways would be provided
- regarding the possible timing of the application for determination, it was likely that it would be brought to Panel in the summer, although it was accepted that much work was needed to resolve the critical issues, particularly around highways
- in respect of education provision, Children's Services had agreed in principle to the revised location of the primary school. For secondary provision, whilst the quantum of development proposed for the Northern Quadrant would not require a secondary school in its own right, development of the whole East Leeds Extension would. Children's Services were looking at a range of options, such as extensions to existing schools; through schools and other sites, further south. Further discussions would be had on where and how the sum provided for secondary provision would be spent

Members then discussed the proposals and commented on the following matters:

- the need to keep in mind issues relating to sustainability, house types and design and the need for a paper to be brought back to Members on these issues
- the importance of not having 'standard' house types which could be seen on any new development in any part of the country and the need for some identity to be provided for this new community; that the site was a gateway and that good design was essential
- the need to fully address drainage issues, which were of local concern
- the need to firmly establish a new Green Belt boundary which this development and the ELOR should achieve

- that the developers should have confidence in the partnership approach to this development to enable it to move forward
- concerns about the viability of the small retail centre within the scheme
- that education provision was essential and that Children's Services should be fully satisfied that contributions were at the correct level although there were concerns where a secondary school could be sited in the future
- that it should be possible to retain Bramley Grange Farm through slight adjustments to the route of the ELOR and Green Belt boundary
- that despite the release of Phase 2 and 3 sites, such as this, the volume house builders and planning consultants had not progressed this scheme in an integrated way and proposed constructing 1200 houses before the ELOR was commenced, with concerns being expressed about the commitment for an early start on the site
- that the infrastructure had to be delivered early in the scheme and the possibility of seeking Central Government funding towards providing this
- the need to keep in mind the overall picture for the whole site, including the effects and implications of individual schemes
- the benefits of having pre-application presentations and position statements brought to Panel to enable a steer to be given to developers
- whether the ELOR in the form proposed provided any relief, particularly on city-bound traffic from Wetherby Road
- concerns about the linear park and that the location of this next to a busy road was not appropriate. On this matter, it was stated that what had been requested locally had been a hard boundary between the site and the Green Belt, which had then resulted in the inclusion of a linear park. The Chief Planning Officer advised that this had been included to ensure the scheme met the required greenspace levels. If this was located inside the site, more housing would need to be found, whereas if it was located as suggested, it provided a better integrated area. It was agreed that this would be looked at further by Officers

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

- to note Members comments regarding the approach to urban design, design code and the illustrative layout depicted in the masterplan
- that Members were satisfied with the footpaths and cyclepaths but that an alternative location was required for the Country Park and that despite what was stated in the submitted report, there was an issue outstanding in respect of Redhall playing fields, with the view being these should be retained
- the need for an appropriate drainage strategy to be drawn up

- that if the roads were built as envisaged, the existing roads would benefit from this and the need for the ELOR to be built in its entirety to be fully beneficial
 - that the mitigation measures proposed in advance of the completion of the Northern Quadrant section of the ELOR were not satisfactory; that early delivery of the ELOR was needed and that Bramley Grange Farm should be retained
 - regarding proposed road closures, that most Members were content with the closure of Coal Road but that a cycle way and police access was needed on this road. In terms of the financial sum which could be drawn upon for unforeseen mitigation measures, in principle this was acceptable, subject to further details being provided on the level of funding to be available
 - in terms of affordable housing, that this should comply with the Council's policy. It was noted that some of the site was within the Harewood Ward, with the level of affordable housing provision in this area being 35%. Members stressed that in view of the phased nature of the scheme, that the affordable housing policy which was in place at the time when the housing was to be delivered, should be applied
 - regarding the location of the proposed primary school, that further information was required to enable Members to form a view on this
 - concerning the approach to and the extent of the proposed local centre, that further information was required and the need for a local store was stressed. On the matter of whether extra care housing should be incorporated within and/or adjacent, that in principle, extra care housing could be provided, subject to siting
 - that further details were required on the proposed S106 package
- RESOLVED** – To note the report and the comments now made and that the Chief Planning Officer be asked to submit a further report addressing general issues relating to sustainability, design and house types

94 Thorpe Park and Associated Highway Infrastructure

Members considered a report of the Chief Planning Officer relating to four applications in respect of a mixed use development at Thorpe Park, together with proposals for the Manston Lane Link Road (MLLR), north to south and east to west

Plans, photographs, drawings and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day. The Panel noted that the former Plans Panel East had considered a preapplication presentation on the proposals for Thorpe Park at its meeting on 9th August 2012, with a copy of the minute detailing the discussions being appended to the report, for information

Officers presented the report which outlined the proposals for an increase in the levels of B1 office space and introduce 22,100 sqm of retail, including a large supermarket of circa 12,000 sqm together with 17,800 sqm of leisure uses including hotels and 3,200 sqm of food and drink uses, together with delivery of the MLLR. A large area – 30 acres - of POS would

run through the centre of the site and be known as Central Park which would link to Green Park to the west of the site and Brown Moor to the east

The large supermarket would be sited on the east side off the MLLR and on Brown Moor. The centre of the site would see a mix of additional retail and leisure uses together with restaurants and the multi-storey car park. Paragraph 10.6 of the submitted report outlined that the principle of a large scale office-based business park was considered acceptable but that the current proposal included additional non-office uses that were not considered to be ancillary, therefore further consideration of these uses was required

Members were informed that Thorpe Park was a business park of its day and that the new owners were seeking to create a heart to the development, increased usage of the site and greater job opportunities

The delivery of the MLLR was a key feature of the scheme. On the north/south route, the MLLR would bridge the existing Leeds-York railway line, with the Council having an agreement up to March 2015, to bridge the railway line. This key date was one which the developer was working back from in terms of drawing up their proposals

Retail assessments had been undertaken by consultants both for the Council and the developer. Whilst it was accepted that the proposals would have some impact on nearby centres, the extent of this was in dispute

As well as the impact on local centres of introducing the amount of proposed retail on the site, the impact on the city centre had also to be considered with a late representation having been received from John Lewis which would form one of the anchor stores of the forthcoming Eastgate and Harewood Quarter development

The S106 considerations were outlined, with these being:

- delivery of Green Park
- delivery of the MLLR as far as necessary for this development, with the cost of works over and above being recovered from other developers who would benefit from the MLLR
- retail mitigation impact
- public transport contribution
- public access
- local employment, jobs and skills

Members were informed that a number of issues remained in respect of the current proposals, with these being outlined in the submitted report

Officers had put forward alternative proposals which sought to overcome some of these problems, these included a scheme providing a similar level of office use to that proposed but locating the supermarket into the heart of the development and providing a smaller level of retail use and introducing housing into the site. This proposal would remove the need for an extra roundabout which Officers were concerned about and would also have less of an impact on Brown Moor. A second, similar scheme had been drawn up by Officers which was similar to the first one but had reduced office space with this being replaced by increased housing, including the possibility of introducing some sheltered housing on the site

The Chief Planning Officer provided further clarification of the issues associated with the proposals

- in terms of the retail position, this was currently subject to debate and the applicant's consultant was of the view that the impact of the scheme would be less than that suggested by the Council's consultant. Employment was a key consideration and the amount of jobs created through the scheme and possibly lost through its impact on existing centres and potential development in the City Centre had to be fully considered
- that the high-end retail proposed for the site had drawn representations from Crown Point Retail Park, Hammersons and John Lewis
- that the two proposals drawn up by Officers reduced the level of retail in the scheme, so there would be less of an impact. These proposals also helped address housing land supply
- that currently office development on the site had stalled and there was a need for the MLLR
- that in terms of traffic issues, that an evaluation of the impact of the scheme on Cross Gates and around the motorway junctions had not been completed, but that with the suggested alternative schemes there was better integration
- that in drawing up alternative proposals, Officers were seeking a way to reign back all of the development whilst still providing a scheme which delivered the MLLR but without serious impacts elsewhere

Members were then given the opportunity to ask questions on the information which had been provided and raised the following points:

- the retail impact mitigation, who would be offered compensation and the level of this
- the introduction of sheltered housing on the site and where this would be located in view of the likely noise and disturbance from the retail uses
- whether the Supermarket at Colton was overtrading
- public transport and whether there were proposals for a rail halt in this location
- if some housing was accepted on the site, how the phasing would work to ensure this did not become just a shopping centre with some offices
- whether other facilities would be included to support the sheltered housing which was being proposed
- that in 18 years, only one third of the proposed offices had been constructed on the site, whether if retail was accepted in this location, further requests for more retail would come forward
- where the profits were from the development which had already taken place on the site
- whether the additional office space proposed by the developer would be built in view of the surplus office space which existed citywide, including some on Thorpe Park
- the route of the MLLR and the cost of this

Officers provided the following responses:

- that at this stage it was not known the level of retail impact mitigation and to whom this would be paid, that agreement would need to be

reached on the retail impacts after which detailed discussions could commence on where the money was to be directed

- that the introduction of housing on the site was an Officer proposal and had been presented to see if there was an appetite to pursue these options. In terms of location, the sheltered housing was likely to be in the central area where people could easily access the greenspace and shops
- that the Supermarket at Colton was overtrading as were other operators in the area
- in terms of public transport, discussions were continuing with Metro and that a consistent approach would be adopted. That the possibility of a new railway station at Micklefield was being looked at and when the Thorpe Park proposals were presented to Plans Panel East, that Panel favoured a park and ride scheme
- in relation to phasing, it was expected that the first phase of the scheme would be the delivery of the food store and other retail which would provide the funding for early delivery of the MLLR and Green Park
- that inclusion of sheltered housing was indicative at this stage but that there would be other facilities provided in the heart of the development e.g; cafes and restaurants and that if residential use was accepted on the site, then other facilities e.g. medical and community facilities would be expected to be provided and there would also be facilities in the nearby Northern Quadrant scheme
- that Officers could not account for where site owners put their profits and that it was not possible to say with any certainty what the future demand would be for office use but that currently, on business parks, this was stagnant, although it was important to retain office capacity in attractive locations close to the motorway network. On the original scheme, the trigger for the delivery of the MLLR was when 93,000 sqm of the office development was occupied and this was a long way off being met, therefore an alternative way of securing the MLLR had been put forward that would ensure delivery in the first phase of development. Officers were suggesting there might be a case for an exception to the retail policy, but care had to be taken and that a pragmatic approach which would provide something which would be acceptable, should be explored. The inclusion of residential uses on the options drawn up by Officers also addressed the shortfall of housing in the Garforth area due to the likely impact of HS2
- in terms of costs already incurred by the developer, £6m had been spent on providing the dumbbell roundabouts within Thorpe Park, J46 signals and works to the 'cracked egg' roundabout
- that the cost of the MLLR had been quoted by the developer as being £11m

Members then discussed the proposals and commented on the following matters:

- the need for sheltered housing to be located at the centre of a community and to be in easy reach of local facilities and shops but not next to a 24 hour large supermarket

- the need for a mix of uses and opportunities on the site was important but that the level of retail on the site must be addressed
- the proposed increase in office accommodation which was also seen as a town and city centre use in the NPPF, as was retail, leisure and food and drink uses
- the possibility of discussing an extension to the March 2015 deadline with Network Rail in respect of the bridge
- that this development could have a detrimental impact on the delivery of the whole of the Eastgate and Harewood Quarter scheme
- that the retail assessments showed the proposals would have a significant impact on existing retail centres with concerns that a domino effect could take place if shops in local centres began to close and that the offer to pay compensation was too vague
- that the site would be an appropriate location for housing and that a smaller retail centre might not be as damaging as the current proposals could be
- concerns that if the scheme was allowed in its current form, it could set a damaging precedent and was likely to result in further applications for retail use coming forward on the site in the future
- that the MLLR had to come forward at an early stage
- that the position of the developers could be understood if they had recently acquired the site and were not fully aware of issues connected with it
- the view that a different offer in terms of supermarket might be acceptable, i.e. on the lines of a French hypermarket, or even a flagship store for a local supermarket, but that what was currently being proposed could not be supported
- that a more modest retail scheme together with residential use, including sheltered housing should be considered and the need to ensure the scheme did not become a second White Rose Centre
- that more detail was needed, particularly on the impact of the scheme on Cross Gates and Garforth
- the possibility of increasing the level of residential use on the site by also decreasing the level of additional offices proposed and that siting residential dwellings overlooking the park would be an excellent location
- an acceptance that some level of retail use was needed
- that 2015 was a critical year for the scheme, in view of the complex discussions which were had with Network Rail to agree this date
- that the suggestions put forward by Officers were interesting but that ultimately it would be the developer's application which Panel would consider and it was hoped that they had listened to Members' comments

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

- that Members shared Officers' concerns regarding the retail impact on local centre, Colton and the wider planning objectives for the Centre City and East Leeds, although some Members were willing to see a smaller retail scheme on the site. The Chief Planning Officer stated

that Officers were trying to steer a careful line between the impact of the development on viability and the delivery of the road and that more work was required on these issues

- that Members shared Officers' concerns regarding the impact of the proposals on the highway network including the areas in and around Cross Gates, the A63 'cracked egg' roundabout and junction 46 of the M1. Members also stated that the entire MLLR was required and that there was concern about piecemeal development
- that Members were supportive of the introduction of the MLLR to help alleviate traffic congestion in the area and the delivery of the rail bridge by March 2015
- regarding the new masterplan layout and maximum building heights, that little discussion had been given to this as the location of the proposed supermarket had raised many concerns, particularly it being sited on stilts and the impact of this location on Brown Moor
- concerning the exploration with the application of an alternative location for the foodstore, closer to the commercial uses, that if a smaller store was proposed and relocated, this could be brought back for further discussion
- that Members supported the principles set out in the S106 offer, particularly those relating to jobs and training
- that a viability assessment should be provided by the applicant in relation to the mix and quantum of development proposed (and alternatives) and the likely capital receipts for adjoining development sites and to the costs and timing of the delivery of the MLLR
- that Members support Officers in continuing discussions with the applicant to further consider the alternative proposals with reduced retail and traffic impacts, new housing provision and better integration of land uses

RESOLVED - To note the report and the comments now made

95 Application 12/05150/LA - Position Statement - Formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park, land at Austhorpe Lane, Austhorpe

Members received a report of the Chief Planning Officer on a position statement in respect of an application for the formation of public park, playing pitches, park and changing rooms on land to west of Thorpe Park at land at Austhorpe Lane LS15

Members were supportive of the proposals as set out in the submitted report

RESOLVED - To note the report

96 Date and Time of Next Meeting

Thursday 11th April 2013 at 1.30pm in the Civic Hall, Leeds

Draft minutes to be approved at the Meeting to be held on 9th May 2013

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