

SOUTH AND WEST PLANS PANEL

THURSDAY, 16TH FEBRUARY, 2023

PRESENT: Councillor E Taylor in the Chair

Councillors B Anderson, C Campbell,
S Hamilton, T Smith, J Bowden, J Garvani,
J Heselwood and J McKenna

76 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

77 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

78 Late Items

There were no formal late items.

79 Declarations of Interests

Members did not declare any interests.

80 Apologies for Absence

Apologies for absence were received on behalf of Councillor D Ragan and Councillor R Finnigan.

81 Minutes - 22 December 2022

RESOLVED – That the minutes of the previous meeting held Thursday, 22nd December 2022 be approved as an accurate record.

82 21/09266/RM – Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP

The report of the Chief Planning Officer presented a Reserved Matters application for layout, scale, appearance, and landscaping for the erection of 67 dwellings pursuant to outline approval (18/01501/OT) at Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP.

Photographs and slides were shown throughout the officer presentation, and Panel members were provided with the following information:

- The site is an allocated housing site (SAP Ref: HG2-58) and located in the Outer West Housing Market Character Area and the principle of development (including access) has been accepted via the previously approved outline consent (18/01501/OT) for residential development of up to 69 dwellings.
- The application site extends to 2 hectares and the perimeter of the site features established mature trees extending down the eastern boundary, with a number to the western boundary along the two paths. The trees form an ecology buffer and will remain un-developed. The northern boundary of the site is defined by the access road to the Rodley Nature Reserve.
- Access to the site is from Town Street and Moss Bridge Road, via a newly installed swing bridge over the Leeds-Liverpool Canal. Access to the site has been agreed via the previous outline consent and is the subject of a S106 Agreement which secures the bridge's ongoing structural maintenance and responsibility / ownership of the same.
- There will be an adopted internal highway arrangement with two turning heads.
- There is a change of levels in the site, sloping down from the level of the towpath and canal, sitting three metres lower.
- A 3 metre ecology buffer is to be provided to the southwestern boundary of the site, adjacent to the towpath. The buffer will be separated with a 2.4m high non-climbable weld-mesh fence.
- The proposals consist of a mixture of house types including an apartment block to the southern part of the site (16 units) and three and four bedroom townhouses (51 units). There is a bungalow proposed to the northern corner of the site, meeting accessibility requirements.
- There will be an off-site Greenspace contribution of £25,000.

The following objectors attended the meeting:

- Councillor Andrew Carter
- Councillor Kevin Ritchie
- Jeremy Knapp
- Keith Lambert

Objectors in attendance raised the following concerns:

- The scheme significantly impacts residents of Rodley and will increase traffic.
- It is anticipated there will be access issues with the swing bridge, especially if it malfunctions. There is particular concern that emergency services will not be able to access the new residents of the proposed site.
- The access conditions proscribed in the outline permission have not been met, with the swing bridge not being fit-for-purpose and poorly designed.
- In terms of Rodley Nature Reserve, there is a need to maintain the diversity of wildlife on site and it is identified that the discharge / outflow into the water supply opposite the development of the site, poses a risk to the wildlife. This discharge / outflow should not be allowed.

- Lack of public open space.
- There is a risk to the ecology buffer during construction phase and concerns were raised regarding construction management. It was requested that no work take place on Saturday and Sunday. In particular, this will cause disturbance to the Reserve.
- The off-site Greenspace contribution is inadequate and will not make the necessary enhancements to the local park as required.
- Risks associated with increased parking as a result of the proposed development and proposed Traffic Regulation Order (TRO) on Town Street. Resident-only parking should be introduced both for the development and existing residents in surrounding streets due to the loss of parking spaces which will arise on Moss Bridge Road, but even then there is insufficient parking proposed for residents as part of the development
- Overdevelopment onsite with the development / design proposed not being in keeping with the surrounding area – particularly for the apartment block.

In response to questions from Panel members, objectors confirmed the following:

- It was accepted that the principle of development on the site had been established by way of the outline permission, such that there was no objection to housing development on the site per se.
- Local councillors have received extensive correspondence regarding the swing bridge malfunctioning and the main concern relates to emergency vehicles not being able to access the site and the timeliness of the swing bridge being replaced / repaired on the occasions of it malfunctioning. It was confirmed there is also issues with the swing bridge re-aligning properly.
- It was felt that the contingencies proposed for both repairing the bridge in the event of malfunction and for ensuring ongoing access of emergency vehicles in such situations was inadequate.
- Whilst it was acknowledged that Greenspace policy requirements are met, the contribution is not enough.
- The water take-in from the River Aire feeds into the Nature Reserve and water run-off from the proposed development site will feed into the abstraction point and impact on the lagoons and wildlife on the Nature Reserve. A suggestion was made that water is re-directed downstream to mitigate this issue, which is identified as low risk but seen to still present a risk to the Reserve.
- Public transport in Rodley is not adequate, nor is the proposed 2 car parking spaces per property and will result in cars parking on pavements and an increase in pre-existing issues. Ultimately, visitors may park in the Nature Reserve or Rodley Cricket Club.

The applicant's representative attended the meeting and addressed the Panel. He informed the Panel of the following points:

- The application benefits from the previous outline planning consent and LCC have already recommended housing for the proposed site. The application is therefore in its second phase.
- The applicant is aware of the issues associated with the swing bridge and whilst the applicant isn't responsible, the contractor is working hard to rectify issues.
- Condition 25 of the outline permission requires that the bridge is operational prior to first occupation of the development. It was right and proper that this condition (and other associated conditions relating to access) were imposed on the outline permission. Condition 25 will be fulfilled by the point at which it was required to be so – i.e. occupation of the dwellings – and the applicant is not in breach.
- The applicant has worked closely with LCC officers over the last year, as well as Rodley Nature Reserve, and any impact on the Nature Reserve will be mitigated.
- A Biodiversity Action Plan has been agreed with officers.
- None of the existing trees will be disturbed and the scheme has been amended to incorporate a second buffer.
- The developer has proposed enhanced air source heat pumps and EV charging points.
- The off-site Greenspace contribution isn't a requirement, but the developer proposed this in addition as a gesture of goodwill alongside providing adequate greenspace onsite as agreed at the outline permission stage.

In responding to questions from Panel members, the applicant's representative confirmed the following:

- The scheme compromises build-to-rent homes and the proposals are policy compliant in terms of affordable housing provision onsite.
- The site is to have a traditional estate layout and the parking provisions reflect that, while also meeting policy requirements in respect of the number of parking spaces per dwelling. It is not envisaged that there will be parking issues arising as a result of the development.
- Drainage details will be confirmed by LCC.
- The swing bridge is currently out of balance and contractors are rectifying the issue by applying additional weight to the bridge. Handles are being installed on the wheels to ensure ease of use. Furthermore, the electrical components on the bridge, should it fail, can still be opened / closed manually. The swing bridge is designed for impact damage should a barge / boat collide into the bridge.
- The swing bridge will be annually inspected for all of its operating parts, with a full electrical inspection every 3 years and a full structural inspection every 5 years. There will also be a router installed in the control room that will allow the maintenance team to operate the bridge from their office. The inspections identify wear and tear and mitigates the bridge failing by carrying out preventative measures. Wear and tear is more likely on bridge structures than any sudden failure or breakages.

- Spare parts have already been created and will be stored with the maintenance contractor, such that there will be able to be swift repair and effective ongoing maintenance.
- It was acknowledged that there were still issues to be rectified with the bridge, but Members were reminded that the Final Completion Certificate has not yet been issued and there remained a way to go before this would be issued – such that outstanding difficulties and ‘snagging’ could be undertaken.
- The developer regularly has discussions with Rodley Nature Reserve and will continue having those discussions moving forward.
- There is a possibility for there to be pets onsite. The weldmesh fence is proposed to have a ‘lip’ on the top to mitigate cats from being able to climb over, which could otherwise cause adverse issues for Rodley Nature Reserve.
- In terms of the environmental credentials of the proposal, this included the provision of EV charging points, a fabric first approach and other measures – all of which ensure policy compliance.

Further to questions put forward to officers, the following was confirmed:

- Clarity on the boundaries of the adopted highway.
- Car parking provision proposed is considered sufficient. All houses have 2 no. spaces and the apartment block proposes 1 no. space each, with an additional space for visitors and disabled residents. Street Design Guidance allows the widths of the adopted highway to accommodate visitor parking. Further to this, a member commented that the Street Design Guidance discourages parking on the pavement and sought clarity on any plans to include elements to stop this.
- If the swing bridge is not fully operational, the developer will be in breach of conditions relating to the previous planning consent. Conditions 8 and 25 of the outline consent dealt with the provision of the bridge. There is no current breach in this regard.
- There are provisions for cabling and services across the bridge to the site that are already in place.
- Water-butts can be incorporated into the consent via a condition.
- The proposal is policy compliant in terms of the amount of affordable housing proposed. 15% is the policy requirement and that is met with the 10 no. affordable housing units proposed.
- The topography of the site proved the house types acceptable and there are similar house types in the surrounding areas.
- Clarity on the policy compliance requirement for lower decile rents. The type of affordable housing provided in terms of rents will be split accordingly between the 10 no. units proposed as per policy.

Panel members made comments in relation to:

- The uncertainty of the swing bridge being fully operational and concerns whether refuse vehicles will be able to access the site. It was felt that the contingency measures proposed were not sufficient, though it was noted that the Emergency Services had been consulted and not raised concerns vis-à-vis access.

- However, it was also noted that the principle of development and access (including the swing bridge) had already been the subject matter of the outline permission and determined at Panel previously.
- Noise and light pollution impacting Rodley Nature Reserve.
- Lack of information regarding energy efficiency.
- Poorly-developed Construction Management Plan, which does not take into account the impact on the Reserve and also the likelihood of numerous heavy construction vehicles crossing the newly-constructed bridge.
- Parking issues impacting on neighbouring areas, particularly during the construction period as well as issues associated with parking on the pavement.
- Inappropriate house types and the proposals to include dwellings with blank facades, promotes an opportunity for break-ins. It was suggested that blank facades incorporate windows and the design of individual dwellings in particular should be reconsidered.
- The proposed development does not make the most of the location and should be designed so that it is sympathetic of its location.
- Lack of amenity space for residents of the proposed development, and there being no cojoined areas of greenspace.

A motion was made to move the officer recommendation subject to a number of conditions including the addition of water-butts, hours of construction to be amended to no Saturday and Sundays, to look into the possibility of a temporary TRO and temporary residents parking scheme.

Following a vote on the recommendation, with the inclusion of the additional conditions, it was not carried.

Councillor Campbell then proposed to defer the application for further information. Councillor Campbell proposed the alternative motion, and Councillor McKenna seconded. Therefore, it was

RESOLVED – To defer the application for further information in regard to:

- Layout and design
- To consider policy compliant house types
- To provide more meaningful greenspace
- Inappropriate parking and measures to prevent parking on the pavement
- To incorporate water butts

83 Date and Time of Next Meeting

The date and time of the next meeting is scheduled to take place on Thursday, 16th March 2023 at 1.30 pm.

The meeting concluded at 16:20.