

CITY PLANS PANEL

THURSDAY, 23RD MARCH, 2023

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, K Brooks,
C Campbell, P Carlill, D Cohen,
A Garthwaite, C Gruen, P Wadsworth,
A Khan and A Maloney

SITE VISITS: Councillors C Campbell, A Garthwaite, C Gruen, A Khan
and J McKenna.

79 Election of Chair

Councillor McKenna informed the meeting that he would have to leave at 4.00 p.m. and sought a nomination for someone to Chair the meeting following his departure. A nomination was made on behalf of Councillor Caroline Gruen.

RESOLVED – That Councillor C Gruen take over the Chair following the departure of Councillor J McKenna.

80 Appeals Against Refusal of Inspection of Documents

There were no appeals.

81 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information.

82 Late Items

There were no late items.

83 Declaration of Interests

There were no declarations.

84 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor R Finnigan.

85 Minutes - 23 February 2023

RESOLVED – That the minutes of the meeting held on 23 February 2023 be confirmed as a correct record.

86 Application 22/02638/FU - Land South of Whitehall Road, Leeds

Minutes approved at the meeting
held on Thursday, 20th April, 2023

The report of the Chief Planning Officer presented a hybrid application consisting of a Full element for 12 storey office building with Use Class E at ground level (comprising ground plus 11 storeys plus plant) and 14 storey multi-storey car park (MSCP) with use Class E at ground level (comprising ground plus 13 storeys) and internal infrastructure works and landscaping.

Also an Outline element for 8/11 storey office building/hotel/aparthotel (comprising ground plus 7 storeys and plant for office or ground plus 9 storeys and plant for hotel/aparthotel) and further 11 storey office building (comprising ground plus plant) including means of access & scale to be considered.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted:

- The site was a key brownfield site within the city centre boundary that had been undeveloped for a number of years.
- The proposals would provide opportunity for further investment into the city centre.
- A residential scheme had been approved on the wider site allocation plan designated site in December 2022.
- There would be landscape improvements along Whitehall Road and Riverside Way and enhanced connections through the site.
- A pre-application presentation had been made in January 2022 when Members were generally supportive of the scale and layout, access and landscaping proposals.
- Full details had been submitted for Block 2 which would be an office building and Block 5 which was the proposed multi-storey car park.
- For the Outline element, details for scale and access had been submitted for Block 4 (Aparthotel) and Block 9 (Office accommodation).
- The building heights would be from 8 to 14 storeys and followed a similar pattern to the rise in scale of development as implemented at Wellington Place.
- The proposed distance between buildings was felt appropriate for the prevailing city centre character and context.
- Improvements to landscaping included widened footpaths and cycle routes; planting and improved connections. There would also be improvements to the semi circle area at Whitehall Waterfront including a riverside park and areas for play.
- Façade development and proposed materials were displayed for Block 2 along with typical floor plans. There would be a commercial space on the ground floor, cycle parking and a roof terrace.
- CGI images of the proposed Blocks 2 and 5 were displayed.
- The Multi-Storey Car Park would have solar panels and electric vehicle charging points. There would be 478 spaces which would be used for occupiers of the proposed accommodation (up to the maximum parking

allowed by the council's parking guidelines) and for short stay public parking.

- Samples of materials to be used were made available for inspection.
- CGI images of the development showing natural surveillance provided by ground floor commercial units.
- There had been a reduction in the proposed height of Block 9 to reflect that of the Whitehall Waterfront buildings.
- The proposals were considered to be a positive addition to the regeneration of a brownfield site that had not been in use for many years. There had been a detailed design process since the pre-application stage including enhancements to key routes in and out of the city centre. The applications were recommended for approval.

A local resident addressed the Panel with objections to the application. These included the following:

- The previous proposals approved at the site was only approved by a small majority and the Panel had conceded that those plans were flawed and residents had felt let down by the process.
- Principles of good planning and design had been overlooked for profit.
- Resident's objections to the application had not been addressed.
- Resident's experience and quality of life would be marginalised by the proposals,
- The mass and density of the proposals would dominate and engulf existing developments, invade privacy, increase problems with wind, reduce daylight, create poor surveillance and increase traffic.
- The building at Plot 9 would be the biggest problem. Despite the proposed height reduction it would still dominate existing properties and does not address the objections that have been made.
- Resident's have not seen any evidence of the light impact assessment that had been submitted.
- The invasion of resident's privacy had been ignored.
- There would be compromised safety and security for residents.

The applicant's representatives were invited to address the Panel. The following was highlighted:

- There had been a great deal of pre-application work with officers.
- There would be the provision of new cycle ways and landscaping.
- The riverside area would be enhanced alongside improved connections to other areas.
- The provision of a riverside park.
- Guidance for tall buildings had been followed and Block 9 had been reduced to an equitable size to Whitehall Waterfront. There was always a proposal for an office building adjacent to Whitehall Waterfront.
- Separation distances between the buildings were generous.
- All contributions would be met through Section 106 agreement and CIL payments.

- Highest possible standards would be targeted and high energy efficiency.

In response to questions to the applicant's representatives, discussion included the following:

- Frontages of the buildings at ground floor level and the need for functionality and surveillance.
- There were constraints on providing landscaping around the base of Plot 9 but there were connections to other landscaped areas. There would be more detail on landscaping for this plot at a later planning stage.
- The width of roads was suitable for access and service and emergency vehicles.
- The wind modelling had shown that wind conditions would improve when more building work was undertaken. It was proposed to develop plots 6 and 7 first (the approved residential scheme on the wider site).
- The multi-storey car park long stay spaces would be allocated for occupants of the office building and aparthotel. Short stay parking would be restricted to 5 hours with no entry prior to 09:30. Consultation had shown the need for parking at the site.
- There would be ramped and level access to the buildings.
- Landscaping between the office building and riverside. There would be a 5 metre cycle way and footpath and stepped up levels to meet flood prevention requirements. There would be space for some planters.
- The major part of the outdoor development would be the riverside frontage improvements and proposed park in front of Whitehall Waterfront. There would be increased and enhanced opportunity for the use of outdoor space by the riverside.

In response to questions to officers, discussion included the following:

- Once the development was fully built there would not be any wind safety issues. The implementation of the approved residential phase on the wider site had been demonstrated to provide necessary wind mitigation for the development of plots 2, 5 and 9. As a result there would be a condition to control the phasing of building delivery to ensure wind safety.
- Parks and Countryside would be looking at where off-site biodiversity improvements would be achieved within the Ward.
- Car parking was within policy requirements to allow short stay parking in the city centre. This policy was to be reviewed to support using other forms of travel into the city centre. Cycle parking could also be reviewed.
- The daylight impact assessment had not been made publicly available at this stage but the findings were outlined in the report.
- Further information on landscaping around Block 9 would be brought at the Reserved Matters stage.

- The buildings closest to the multi-storey car park would be less sensitive to noise than residential properties.
- There had been discussions with Ward Members that had included distances between buildings and the impact on the privacy of Whitehall Waterfront residents. These concerns had been noted and it was felt that levels of impact were acceptable within a city centre context.
- Surveillance to Whitehall Waterfront was considered to be an improvement as there would be more usage.

In response to Members' comments, discussion included the following.

- Concern that the full daylight impact assessment had not been seen by the Panel or members of the public.
- The detailed plans for Blocks 2 and 5 were more than adequate with a more extensive landscape plan than for other phases on the site.
- There was some concern that the biodiversity net gain policy was not being met.
- Concern regarding the lack of landscaping detail around Block 9 and level of greenspace overall.
- The overall design and use of materials was good but there was still concern regarding landscaping and biodiversity net gain.
- A motion had been made to defer the application to allow for the daylight impact assessment to be published. Members discussed the possibility of non-determination and any other outstanding issues that needed to be resolved. It was proposed that further consideration should be given to a more oblique design for Block 9 and biodiversity.

RESOLVED - That the application be deferred to allow for the daylight impact assessment to be published and made available to all parties.

(Councillor C Gruen assumed the Chair following this item).

87 Application 22/04400/FU - Sweet Street West, Holbeck, Leeds

The report of the Chief Planning Officer presented a hybrid application which included full planning element for construction of a building up to 15 storey providing 451 dwellings (use Class C3) and ground floor commercial space (Use Classes E (a,b,c,d,e and f) and Sui Generis (drinking establishment)), an 8 storey office building (Use Class E (g), pavilion building (Use Class E (b, c and d), partial demolition and extension to existing public house, landscaping, access road and other associated works and outline element for mixed use development comprising a maximum of 900 dwellings (Use Class C3), a maximum of 7,000 sqm of office space (Use Class E (g) and a maximum of 200 sqm of commercial floorspace (Use Classes E (a,b,d,e and f) and Sui Generis (drinking establishment)).

Site plans and photographs were displayed and referred to throughout the discussion of the applications.

The following was highlighted in relation to the applications:

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- There had been a permission granted for the site in 2007 for a high density residential, office and business scheme. This had now lapsed.
- The site was allocated in the site allocation plan and was flagged as a key regeneration site.
- The former library building was just outside the site boundary and was now used as an office. The current occupier of the building had forgone their right to speak against the recommendation but had made objections regarding drainage and the impact of the proposed office building. In response the full details of the drainage proposals would be conditioned to ensure that an impact on shared drainage arrangements between the two sites would be appropriately addressed and the impact of the office development on the occupants of the former library building was considered acceptable in townscape and amenity terms.
- It was proposed that there would be 1,351 dwellings, 20,000 sqm of office space and associated communal and commercial space.
- Pre-application proposals had been submitted in 2021.
- The RESI 1 building would contain 451 dwellings and would range in height from 6 storey to 15 storey. Detailed façade treatments were displayed.
- The Commercial Public House would be refurbished with modest side and rear extensions.
- The pavilion building would house a cafe, gymnasium and workspace for local residents.
- The Office 1 building would be up to 8 storeys with basement car parking. The relationship with the former library building was shown.
- Landscaping – there would be a substantial buffer alongside the railway and tree lined boulevard along Sweet Street West. There would be 213 new trees planted to replace the 71 lost at the standard ratio of 3:1.
- Wind mitigation features.
- Public open space would be 25% of the site area and the applicant was willing to pay a commuted sum towards the shortfall of the requirement against Core Strategy Policy G5.
- There would be a public square to the rear of the public house and pavilion buildings.
- There were proposed to be green roof spaces for the use of building occupiers.
- All highways matters had been resolved. There would be interim access measures during the first phase of the development.
- The scheme had been to City Plans Panel twice before
- There were some outstanding issues as the scheme could not deliver all policy requirements and remain viable.
- There were significant highways improvements which included £896k to remodelling and enhancement of Bath Road, £368k to the City Centre Transport Package and £70k for a crossing over Ninevah Road.
- The District Valuer had concluded that the full Section 106 package could not be delivered due to viability. The following two options were presented with Option 2 being the recommended option:

- Option 1 – if all other planning benefits are delivered, affordable housing would reduce to 3.5% (44 units)
- Option 2 – if the Residential Travel Plan Fund is reduced to £100,000 and the Green Space and Biodiversity Net Gain reduced to zero, affordable housing would be 5.5% (70 units), plus the applicant has offered a further 1% giving a possible affordable housing total of 6.5% (82 units)
- Affordable housing would be delivered at the 80% rate of local private sector rents.
- The scheme offered significant investment into the city centre, re-use of a long disused site and considerable offsite and onsite open space improvements. There had been a robust viability appraisal carried out and the proposals were recommended for approval.

In response to questions from the Panel, discussion included the following:

- A representative of the District Valuer informed the Panel of the process used when producing the viability assessment including issues surrounding construction costs and discussions with the developer regarding the development of the scheme. These had informed the options that had been presented to the Panel.
- No specific schemes had been identified for offsite greenspace or biodiversity net gain should the option that included commuted sums be taken.
- Ward Members had not commented on the application or been consulted on the options.
- Members were advised that if they chose to support the application that the options relating to viability could be deferred to Ward Members.
- Policy allowed the developer flexibility of how they wished to provide affordable housing and they had opted for the build to rent model at discount market rent. Properties would be let to people on local housing lists. The applicant's representative explained the reason for their proposals for affordable housing fitting in with the model of development and that other kinds of affordable housing would not be suitable for this scheme.

Members were asked to comment on the proposals. Discussion included the following:

- The site would accrue a significant profit for the developer and could become viable in the longer term particularly with the rise in rental values.
- The design was blocky.
- Greenspace was minimal and much of it was not usable space.
- There was a lot of development on the area and there needed to be more greenspace on site.
- The need for the street network to be pedestrian friendly.
- In response to comments, it was reported that the greenspace calculation did not include the area adjacent to the railway and there

would be improved landscaping, cycling and pedestrian routes both within the site and along the site frontages.

- Concerns about traffic on Jack Lane.
- The proposed crossing could be in a better location.
- Some Members noted there had been significant improvements since the pre-application stage and were prepared to support the recommendation.
- Concern that Ward Members had not had an input or commented on the proposals.

It was proposed that the officer recommendation be moved with the viability options as reported to be determined by Ward Members.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions set out in Appendix 1 (and any amendment to or addition of others which he might consider appropriate) and the completion of a Section 106 agreement to be determined following consultation with Ward Members on the options for planning obligation spend in terms of affordable housing.

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the applications shall be delegated to the Chief Planning Officer.

88 Pre-application 21/00142 - Land at 76 York Street, Leeds

The report of the Chief Planning Officer informed Members of a pre-application presentation of proposed demolition of existing building and construction of 10 storey purpose built student accommodation block at land at 76 York Street, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the presentation.

The applicant's representatives addressed the Panel. Issues highlighted included the following:

- There had been pro-active work with planning officers during the pre-application stage.
- The current vacant two storey building on the site was last used as a night club.
- Brick Street was closed at the junction with York Street.
- The area was in a commercial area and close to the city bus station.
- A full redevelopment was proposed with a 10 storey student accommodation building. The height had been reduced following discussion with planning officers.
- The proposals would take the pressure off private housing for student use.

- The site was accessible to the universities by sustainable travel modes.
- There would be 121 fully furnished studio units all compliant with emerging space standards.
- There would be external and internal communal spaces.
- Servicing arrangements – these had been agreed with the neighbouring medical practice and access would remain for Network Rail. Student drop off bays would be available.
- The applicant had discussed building issues with Network Rail.
- The proposed siting of the building had been moved further away from the viaduct at the request of Network Rail.
- CGI images of how the proposed building would appear were displayed.
- Floor plans were displayed. All studios were over 20 metres squared and ensuite.
- There was generous amenity space with a gym, communal spaces and roof terraces.
- There would be opportunity for some soft landscaping.

In response to questions and comments from the Panel. Discussion included the following:

- Concern due to the undeveloped nature of the area and safety issues walking from the city centre. It was reported that there would be further development in the area as there were other consented schemes and applications in the area. There would also be natural surveillance with how the building would be developed.
- The design was suitable within the constraints of the site.
- Concern regarding the location of drop off and pick up points.
- Could front entrance area be designed to protect people from passing cyclists.
- Concern that an outdoor seating area could attract anti-social behaviour.
- Concern that the area was not suitable for student accommodation.
- Could work be done to the underside of the bridge and surrounds.
- The applicant would be willing to address any safety concerns. There had been a previous permission for a backpackers hostel to be developed at the site. This permission had now lapsed. There was other activity in the area with the adjacent medical centre and bus stops.
- The development would contribute towards the improvement of the area and help to provide the needed activity.
- The design was good but it was questioned whether this would be suitable for student accommodation at the current time.
- The area was in need of redevelopment but there were concerns whether purpose built student accommodation was the right kind of development to start the redevelopment.
- Concerns about the appearance of the railway bridge.
- In response to questions outlined in the report, the following was discussed:

- Members considered that the proposed use of the site for student accommodation was acceptable in principle but there were reservations with regards to security while the rest of the area remained undeveloped.
- Members supported the approach towards living conditions for the student accommodation.
- Members considered that the proposed mass and form of the development and its relationship with the surrounding context was acceptable.

RESOLVED – That the presentation and discussion be noted.

89 Date and Time of Next Meeting

Thursday, 20 April 2023 at 1.30 p.m.