

Plans Panel (City Centre)

Thursday, 5th November, 2009

PRESENT: Councillor M Hamilton in the Chair

Councillors D Blackburn, Mrs R Feldman,
T Hanley, G Latty, J McKenna,
J Monaghan and N Taggart

37 Chair's opening remarks

The Chair informed everyone that this was Rob Buchan's last meeting as he would retire the following day from the Authority after 37 years

Councillor Hamilton paid tribute to Rob's work and referred to some of the major schemes which he had been closely involved with, particularly Millennium Square, Broadcasting Place, The Bond Street Centre, Granary Wharf and Clarence Dock

The first Chair of Plans Panel City Centre, Amanda Carter, who attended for the presentation thanked Rob for the help he had given her during her time as the Chair and referred to the difference Rob had made to the city during his time with the Authority

Alderman Elizabeth Minkin, a former Planning Chair and member of Plans Panel City Centre also attended for the presentation and thanked Rob for the support he had provided to her over the years and stated that he should feel proud of his achievements in the city

In responding, Rob Buchan thanked Members and paid tribute to the way in which Plans Panel City Centre worked and stated that, at the insistence of Members, several schemes which had been brought before Panel had been revised by developers resulting in a better outcome and ensuring that standards had been driven up

The Chair then presented Rob Buchan with a range of gifts from the Panel

Following the presentation, the Chair asked Members and Officers to introduce themselves for the benefit of the members of the public who were attending the meeting

38 Declarations of Interest

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Application 09/00883/FU – Temple Works Position Statement – Councillors Hanley and Monaghan declared personal interests as members of the Leeds Civic Trust which had commented on the proposals (minute 42 refers)

Application 09/03829/OT – 10-11 Sweet Street Holbeck Position Statement – Councillors Hanley and Monaghan declared personal interests as members of Leeds Civic Trust which had commented on the proposals (minute 43 refers)

39 Apologies for Absence

Apologies for absence were received from Councillor Nash and the Chair welcomed Councillor Taggart who was substituting for Councillor Nash

40 Minutes

RESOLVED - That the minutes of the Plans Panel City Centre meeting held on 8th October 2009 be approved

41 Application 06/04610/OT - Layout access roads and erect mixed use development with residential, business, retail, leisure and community uses with car parking, public open spaces, riverside walkway and nature corridor - Kirkstall Road and land off Wellington Road - Position statement

Plans, photographs, graphics and artist's impressions were displayed at the meeting

The Panel had previously received a formal presentation on the scheme at the meeting held on 6th December 2006 (minute 87 refers) and several workshops involving Members had taken place on the scheme in 2007, particularly on the proposals for a living bridge, which had now been removed from the proposed development

Officers presented a position statement setting out the progress on the scheme for a mixed use development on the former Yorkshire Chemicals site on Kirkstall Road/Wellington Road

Members were informed that whilst the mix of uses had remained much the same since the scheme was last presented, there had been an overall reduction in the heights of the buildings, with the exception of the offices and car park at the Kirkstall Road end of the site

The north/south and east/west routes through the site would remain and a pedestrian bridge was now being proposed across the river, linking the two sites. The potential for another bridge from the adjacent site to the Island was highlighted

A considerable amount of open space was being provided in the scheme together with some private amenity space for residents

On the Kirkstall Road/Riverside site, vehicular access would be from a central point on the Kirkstall Road frontage, with car parking being located in single level basement areas under the office buildings and the eastern residential building. A multi-storey car park was also being proposed on this site

On the Island site, vehicular access would be taken from the south-eastern corner of the site along one service access route, with no parking being provided in the private residential space

With the exception of the two buildings fronting Kirkstall Road, there would be residential accommodation sited on the upper floors of the buildings, with the Island site providing further residential units, including town houses with outbuildings

Whilst the formal application would be in outline, it was likely that some design details would be envisaged, ie glazing to the ground floor buildings, to secure active frontages

The applicant would be required to update a range of documents ahead of submitting a formal application and another consultation process would be required; Legal Services Section were also considering if the application required re-advertising as a departure from the Development Plan

Members commented on the following matters:

- the scale of the proposals and uncertainty regarding the height and massing of the large residential block adjacent to the town houses on the Island site and that further design detailing was required
- the car parking for the residential units on the Island site and concerns that no disabled parking was being provided directly outside the town houses
- the massing of the buildings, with some Members raising concerns that these were too bulky
- the living bridge, with mixed views about the deletion of this feature from the scheme
- the latest otter survey and the need for reassurances that the proposals took this survey into account
- concerns at the underground parking, particularly due to the high risk of flooding on this site
- why the proposals might constitute a departure from the Development Plan
- the level of affordable housing being provided on the site
- the need to provide links to Armley and under the Inner Ring Road (IRR) to the city centre
- the need for the towpath and Island road to be separate
- the need for quality design, materials and construction and regret that the opportunity for an iconic building in this area had been lost through the deletion of the living bridge
- that the replacement pedestrian bridge must be of good quality and design
- concerns were expressed that the newly extended eastern residential limb was located between the existing and proposed green spaces rather than allowing them to be joined and should be redesigned and reconfigured, recognising that the neighbouring existing greenspace was in a different ownership

Officers provided the following responses:

- that the tall residential block on the Island site was smaller than in the previous scheme, although the Civic Architect, Mr Thorp, stated that further consideration could be given to this building. It would then be a balanced judgement between either a reduction in height to reflect the town houses, or be designed to be more reflective of its island context
- that some vehicular access to the town houses, particularly for people with disabilities could be considered
- that the otter survey would need to be updated by the applicant
- in relation to flooding, that there was an obligation under the Strategic Flood Risk Assessment to satisfy the Environment Agency (EA) on the proposals and if the EA remained unhappy, the scheme could be called in by the Secretary of State
- that safety measures would be included in the design details of the underground car park
- that Officers were considering whether the application was a Departure from the Development Plan as the office and commercial elements were not in the city centre. However the Kirkstall Road Renaissance

Area Planning Framework did envisage a mix of uses and underground car park for the site

- that the applicant had agreed to affordable housing provision of 15%
- regarding linking the site to the wider area, that a Green Travel Plan would be included and would provide for a cycle, bus and walking study which would show the links from the site to the city centre, and that further consideration would be given to establishing links to Armley and the city centre under the IRR
- that as the living bridge was not required by policy and as it was an aspiration of the applicant, then its loss could not be objected to
- that discussions would take place with the applicant on the need for better links both visually and management wise between the existing and new open space

RESOLVED - To note the position statement and the comments now made

42 Position statement of 3 related applications: 09/00883/FU for a temporary (3 year) change of use of Temple Works, Marshall Street Holbeck to a multi-purpose performance, exhibition and events venue; 09/00882/LI for alterations to enhance areas to enable public access and emergency use; 09/00884/CA for demolition of 1953 wing to Temple Works

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

Officers presented the report which sought a three year temporary permission for use of this key Grade I Listed Building to provide a professionally managed venue for avant garde music, art and performance; a home for local arts communities together with education provision and work experience

Temple Works, which was modelled on the Temple of Horus at Edfu was currently being repaired along its Marshall Street frontage following a partial collapse of its roof structure in December 2008. These repair works were separate to the proposals being considered

Members were informed that the mill space would be the main performance area and that equipment required for performances ie heating, lighting would be demountable and would not be fixed to the fabric of the building. Some minor alterations would be needed to help provide suitable public access and emergency exits

The principle of the proposed use was acceptable to Officers in terms of the regeneration of Holbeck Urban Village (HUV)

Revenue from the project would come from ancillary uses, eg bars, filming, conferences etc and the nature of these would be tightly controlled by condition. Whilst the numbers of attendees would be limited to 1500, conditions regarding noise/disturbance would be included and that for major events a 10pm finish time would be proposed to assist with crowd disbursement

The proposals also included the demolition of the 1953 extension and although there was no proposal for the redevelopment of the site as was normally required by adopted policy, the area was required for emergency escape purposes from the proposed use of Temple Works. The area would also be temporarily landscaped with the details to be controlled by planning condition

A financial viability assessment on the proposals had been submitted and had been considered by the Local Authority. The information submitted indicated there

was insufficient profitability to fund a S106 public transport contribution and Officers were of the view that this could be waived due to the scheme bringing an exceptional Listed Building back into use

Regarding highways issues, comments were awaited on this, however limited, ie 51 car parking spaces were being provided and the site was in a highly sustainable location being situated 10 minutes walk from the railway station and City Square

An objection to the proposals had been received from Northern Gas Networks (NGN) as the site was close to a major hazard gas pipeline and due to the increased numbers on site, NGN was of the view this presented an increase in societal risk. The Central Area Planning Manager informed Members that a similar objection had been raised by NGN on a site in Sweet Street. Whilst the objection should be noted, it was the comments of the HSE which were the deciding factor in this respect and as stated in the report before Members, the HSE did not advise against granting planning permission on safety grounds

Members discussed the following matters:

- that the proposals were imaginative and would provide a use for this important building
- that such a venue in Leeds would be welcome and could be as successful as Temple Bar in Dublin
- that the 10.00pm closing time might be too restrictive and that some flexibility should be provided up to 11.00pm, particularly as there was little residential accommodation in the area
- the possibility of re-grassing the roof
- concerns at the waiving of the public transport contribution but an acceptance of the need to do so in this particular case
- the condition of the mill building; the fact that it was not weatherproof and the possibility of some internal restoration being included, particularly to the columns and the clock
- the need for the temporary landscaping scheme to include trees along the Marshall Street frontage and where possible, on the site of the 1953 building
- whether a three year temporary planning permission allowed the applicant sufficient time

Officers provided the following comments:

- regarding hours of use it would be possible to control this by condition to allow some late night use if pre-agreed by the Local Planning Authority
- that the applicant's approach to the mill building was about making it structurally sound and bringing it back into use, rather than undertaking major repairs, including re-grassing the roof which would be costly. Little money would be made from this scheme which was being undertaken to improve the marketability of the owners' other sites in the area
- that Members' requests for tree planting would be considered on the cleared 1953 site but that it might be impractical to provide trees to the Marshall Street frontage due to potential conflict with the coach drop off area

- that any planning permission could state that the three year period would commence from first occupation. Members were happy to accept this

In view of the general support for the scheme, the Chair suggested that the applications could be deferred and delegated to the Chief Planning Officer for approval

RESOLVED - That the applications be deferred and delegated to the Chief Planning Officer for approval, subject to referral of application 09/00882/LI to the Secretary of State for Communities and Local Government for determination and subject to such conditions as considered appropriate by the Chief Planning Officer but to include those relating to the temporary 3 year period to commence on first occupation, provision of a landscaping scheme to the cleared 1953 site to include tree planting if possible and the operating hours to allow some late night use, up to 11.00pm by written agreement and subject to the resolution of traffic issues and comments on the viability case, and to bring the application back for final determination by Panel in the event that any of these issues cannot be agreed

43 Application 09/03829/OT - Outline application to erect B1 offices in two blocks and a health and fitness centre and multi-storey car park at 10 - 11 Sweet Street Holbeck LS10 - Position Statement

Plans, photographs, precedent images and graphics were displayed at the meeting. Panel Members had viewed the site from a coach when on a visit to Temple Works

Officers presented the report which concerned proposals for an outline application for offices, health and fitness centre and a multi-storey car park on a brownfield site at 10-11 Sweet Street Holbeck

Members were informed that a phased approach would be taken to the development, with phase one providing the gym and multi-storey car park

The scale of the office buildings at five storeys plus a plant room followed the themes established in the HUV Framework Document and was appropriate for the area

8 floors of car parking would be provided and that the use of this would be for on-site uses to the UDP (Review 2006) maximum, with approximately 100 spaces being allocated to the office use, with the remainder either being short stay parking or provision for developments within Holbeck Urban Village which did not provide on-site parking; this being controlled by a S106 agreement

A pricing structure to discourage other long stay car parking was being considered as was a later opening time for the car park ie after 9.30am

Landscaping would be provided and this would need to address the practicalities of the location of a high pressure gas main which ran under part of the site

Members were informed that a letter from the Leeds Civic Trust had been received and that the comments would be set out in the formal report to be submitted in due course

Members commented on the following matters:

- the loss of employment land in the areas of Beeston and Holbeck and the need for local labour and training to be provided to serve these new uses

- that the areas of public open space were welcome as was the green roof shown on the images presented to Members and whether this feature could be extended to the other blocks
- the need to tie down the design of the green frontage; whilst accepting there would be limitations due to the high pressure gas main, some greenery needed to be included whilst ensuring this would not fracture the gas pipe
- the car park, with the following mixed views on this aspect being expressed:
 - concerns at its proposed size and that for Holbeck Urban - Village to work it should not require a large car park
 - support for the car park if used only for local businesses
 - that there was a need for some parking in this area
 - that the proposals for the car park were acceptable

Officers provided the following comments:

- that a condition to specify the provision of local employment and training initiatives would be included in the S106 agreement, although as the scheme was for offices this could not be tied down to manufacturing uses
- that the opportunity for further green roofs could be considered
- that Northern Gas Networks had acknowledged the presence of trees in the proposals, although it may be that these would need to be in tree pits to protect the pipeline
- regarding the car park, to note the concerns but that the amount of long stay parking would be limited and would be tied into other developments

RESOLVED - To note the report and the comments now made

44 Appeal decision - Application 09/00027/FU - 55 Boar Lane LS1 - discontinue use on the 6th November 2009

Members considered a report of the Chief Planning Officer setting out an appeal decision relating to the use of 55 Boar Lane as an Amusement Centre with Café. The applicant requested the removal of Condition 1 of application 08/04790/FU which stipulated that this use should cease on 6th November 2009

Whilst Officers had robustly defended the Council's position at the hearing, the Inspector was of the view that this use which had been in operation for nearly 5 years had not resulted in harm to the attractiveness of the frontage for retailing or the Prime Shopping Quarter

The appeal was allowed in a letter dated 23rd September 2009, subject to conditions

45 Briefing presentation on Leeds Development Framework Core Strategy Preferred Approach

Members considered a report of the Chief Planning Officer on the Core Strategy Preferred Approach and received a presentation from Officers on this

Members were informed that the Local Development Framework (LDF) would replace the Unitary Development Plan in due course. The Core Strategy was an

overarching plan and was a spatial and land use planning framework for the next 15/20 years but with a much longer term impact

Officers were now at the point of consulting on the preferred approach and each of the three Plans Panels were being briefed as part of this process

The five themes of the Core Strategy were outlined:

- Green infrastructure – this was different to Green Belt and emerged out of work done by Natural England and was about defining areas that form a network of multifunctional green spaces
- Sustainable communities – which covered place making, design and conservation. Members were informed of a new policy in Leeds which required developments of 1,000 sqm or 10 or more dwellings to meet BREEAM standards or the Code for Sustainable Homes in order to provide higher standards of housing and good quality homes
- Managing the needs of a growing city – this highlighted potential areas of economic and housing growth
- Managing environmental resources – this would set out how the Council intended to meet the Government requirements of managing climate change and in respect of city centre developments, as well as covering flood risk policies and increased tree planting there was the expectation that developments with a roof area of more than 0.25ha would include some green roof provision
- A well connected city – this would set out strategic priorities for investment in infrastructure, ie public transport to improve radial routes and to consider more orbital type improvements to take traffic away from centres and communities. The need for better accessibility and improved pedestrian and cycle facilities would be part of this section

In terms of public consultation on the Core Strategy Preferred Approach, events were taking place in libraries and shopping centres

Members commented on the following matters:

- that in terms of transport, particularly rail, there had not been any new stations provided for 20 years and that this situation was unlikely to improve so long as a development-funded approach to this continued
- that more stations could not be put in place unless there was the park and ride facilities to accompany them
- the need for Leeds to be at the leading edge of green issues and that challenging targets should be set
- that more detailed information was needed to enable Members to comment fully. Members were informed that the report and accompanying document would be considered at the Area Committees and sessions were being arranged to give Members a more in depth briefing

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

46 Date and time of next meeting

Thursday 3rd December 2009 at 1.30pm in the Civic Hall, Leeds