

CITY PLANS PANEL

THURSDAY, 17TH JANUARY, 2013

PRESENT: Councillor N Taggart in the Chair

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

52 Exempt Information - Possible Exclusion of Press and Public

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

The report referred to in minute 61 under Schedule 12A Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4(3) and on the grounds it contains information relating to the financial or business of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. Whilst there may be a public interest in disclosure, in all the circumstances of the case maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

53 Late Items

There were no formal late items, however the Panel was in receipt of the following additional information, for consideration:

Larger scale images for the mixed –use development at Globe Road (minute 60 refers)

54 Declarations of Disclosable Pecuniary and Other Interests

No declarations of disclosable pecuniary or other interests were made, although a declaration was made later in the meeting (minute 57 refers)

55 Minutes

RESOLVED - To approve the minutes of the City Plans Panel meeting held on 13th December 2012

minutes approved at the
meeting held on 14th March 2013

56 Application 12/04154/FU - Change of use of offices to form student accommodation involving alterations to elevations and addition of rooftop extension - Pennine House Russell Street LS1

Further to minute 34 of the City Plans Panel meeting held on 22nd November 2012 when Panel deferred determination of an application for change of use of offices to student accommodation, to enable further information to be provided, Members considered a further report of the Chief Planning Officer

Plans, photographs, drawings and graphics were displayed at the meeting

Officers presented the report and provided further information on the issues which had been raised at the meeting held on 22nd November

Members were informed about student numbers in the city and that there were currently vacancies in some student accommodation, but that over 90% of bedspaces in consented schemes were under construction. Details about the level of office supply in the area surrounding Pennine House was provided, with Officers stating there was a good supply of office accommodation in the city centre; that further office developments had yet to be implemented and that Pennine House had been vacant for four years

In respect of concerns raised about introducing student accommodation into this part of the city, independent advice had been sought on this which had indicated that any impact would be negligible

Members were informed that the proposals complied with planning policy and would provide new jobs and investment

Receipt of a further letter of objection was reported but it was stated that this raised no new issues

Having considered the information provided, there was broad support for the scheme, although some concerns remained about the introduction of student accommodation into the Prime Office Quarter and that, similar to applications in the Green Belt, that very special circumstances should be required to be demonstrated for such a change of use

In view of the recent loss of major retailers nationwide, the need to consider how business might be transacted in the future was considered with concerns being raised as to whether planning policies would need to be reviewed in readiness for possible changes to town and city centres

The Chief Planning Officer stated that a piece of work would begin shortly which would involve housing colleagues, looking at student accommodation in the city which would help inform decision making

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and the completion of a Section 106 agreement to include the following obligations:

- Occupation of accommodation by full time students only
- No cars or motorbikes to be brought to the site by students
- Employment and training
- S106 management fee - £750

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

57 Applications 12/04663/FU and 12/04664/CA - Demolition of existing buildings and erection of a 6 storey library with ancillary landscaping - University of Leeds - Land bounded by Woodhouse Lane and Hillary Place LS2

Prior to consideration of this matter, Councillor Martin Hamilton declared a disclosable pecuniary interest through being employed by Leeds University who were the applicants. Councillor Martin Hamilton then withdrew from the meeting

Further to minute 46 of the City Plans Panel meeting held on 13th December 2012, where Panel considered a position statement on proposals for a new library building for Leeds University, Members considered the formal application

Plans, graphics and photographs were displayed at the meeting

Officers presented the report and stated that some revisions had been made to the proposals in the light of Members' comments; these included a revision to the design of the stairs to the entrance on Hillary Place and a change to the proposed tree species to be planted

Concerning Members' comments about the inclusion of decorative glazing, this had been taken on board and an art strategy had been submitted which indicated possible areas where this could be achieved, with Members being informed that Woodhouse Lane was the University's preferred location

Discussion took place on the possible decorative elements which could be provided, with a mix of views being expressed on the type, amount and location of decoration which should be provided

Concerns were also expressed about the selection of Sweet Gum as a tree species in view of the height this could grow to

It was noted that employment and training of local people was an element of the proposed Section 106 agreement, with a request being made for a report to be presented which gave details of the number of jobs, training places and apprenticeships which had been provided through the planning applications which had been approved. The Chief Planning Officer proposed that a report detailing this information be presented to a future meeting of the Joint Plans Panel

Concerns were also raised about the definition of 'local' when considering employment with Members requesting that for this application, this should be defined as being from the following Electoral Wards; City and Hunslet; Hyde Park and Woodhouse; Headingley; Kirkstall and Gipton and Harehills

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report (and any others which he might consider appropriate) and following completion of a Section 106 agreement to cover the following additional matters:

minutes approved at the
meeting held on 14th March 2013

- Travel plan monitoring and evaluation fee of £2,500
- Contribution of £10,000 towards the provision of a 'live' bus information display at nearby bus stop 11388 on Woodhouse Lane
- Agreement of publicly accessible areas
- The employment and training of local people, with reference to the following Electoral Wards; City and Hunslet; Hyde Park and Woodhouse; Headingley; Kirkstall and Gipton and Harehills

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

Following consideration of this matter, Councillor Martin Hamilton resumed his seat in the meeting

58 Application 12/04739/CA - Change of use from warehouse to a market research and testing centre with ancillary auditorium together with associated development works and the provision of car parking Carlsberg UK Ltd, Hunslet Road LS10

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

Officers presented the report which sought permission for a change of use of the existing premises for a market research facility for Asda

Members were informed that temporary planning permission for a period of 5 years was being sought and that there would be little alteration to the external elevations of the premises

If minded to approve the application, condition No 13 should be amended to allow for a management plan to ensure safe access to the site for vehicles and an amendment to condition No 18 to increase the maximum capacity of the building from 600 to 700 had been requested by the applicant, with this being acceptable to Officers

Members discussed the application and commented on the following matters:

- that the proposals could lead to increased business in the city as it was to be a national training centre
- the nearby Crown Hotel Public House; that the Council should apply for it to be Listed and that a new use in this location might provide encouragement for the re-opening of the Crown Hotel
- that pressure should be placed on Carlsberg UK, the owners of the row of Listed Terrace Houses nearby to the site to bring these properties which were in poor condition, back into use
- the possibility of establishing links between the testing centre and local high schools and colleges to provide retail training to local students

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report, including the amendments proposed for

conditions Nos 13 and 18 and subject to the resolution of detailed highways matters and the signing of a Section 106 agreement to cover the monitoring of a travel plan

59 Applications 12/04465/FU and 12/04466/LI - Two replacement moveable weirs and associated infrastructure on the River Aire at Leeds Weir and Knostrop Weir and Listed Building application for demolition of Leeds Weir - River Aire, Leeds

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

Officers presented the report which sought approval for a scheme which would implement the first phase of the flood alleviation scheme in the city and which would provide a 1:75 year standard of protection through the removal of the two existing weirs and their replacement with two moveable weirs

Details were provided of the operation of the weirs in a flood event. Members were also informed of the design of the proposals which would see a small section of the Leeds Weir being retained. In respect of the proposed control room, the design of this had not yet been finalised

The receipt of a further letter of representation was reported which referred to possible adverse impacts of the scheme, further downstream. Members were also informed that the Environment Agency (EA) were seeking further clarification on the potential impact of both proposals on flood levels further downstream and were still considering the effectiveness of the proposed fish pass designs. It was therefore recommended that Plans Panel agree the proposals in principle and defer and delegate final approval to the Chief Planning Officer, subject to addressing the EA's comments

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

- the absence of a generator on the second weir; the reasons for this and whether a simple turbine could be considered
- whether residents in Juniper Avenue and Yew Tree Drive in LS26 had been notified of the increased flood levels at these locations
- the lifespan of the air bladders to be used
- the design of the control room and the possibility of making reference in its design to the shape of the nearby Lock-Keeper's office
- concerns about the proposed removal of Knostrop Cut
- whether an assessment had been made of the technical merit of the scheme being proposed

Officers provided the following information:

- that a generator on the second weir had not been included due to the levels of the river, although a simple water turbine had initially been considered. In view of Members' comments, this would be looked at again
- that no direct consultation had taken place with the residents of Juniper Avenue and Yew Tree Drive about the potentially

increased flood levels in these areas but that the scheme had been widely advertised and that it was felt that low grade mitigation measures could be introduced to address this impact, subject to agreement with the EA

- that air bladders, weirs/dams were in use in Europe and information on their expected lifespan could be circulated to Members
- that a simple rectangle shaped was being considered for the design of the control rooms but that the full details of the design and materials would be controlled by condition
- that the proposals for Knostrop Cut would be the subject of a separate planning application where Members' views could be considered
- regarding the technical merits of the scheme, the developer had engaged a specialist who was consulting with the Environment Agency which would be the body which would ensure that the
- proposals were appropriate and would not have an adverse impact elsewhere in the city. On this point the Head of Planning Services stated that it was the role of Officers to consider the planning merits and not the technical merits of the proposals as these were being considered elsewhere, although the Environment Agency's comments to the LPA would be considered

The Chief Planning Officer stated that the proposals removed the need for high walls which was a feature of the previous scheme and overall was environmentally less intrusive and ensured the waterfront remained open, although it was not the 1:200 scheme

In summing up the discussions, the Chair welcomed the scheme and the design which allowed for part of the listed weir to be retained

RESOLVED –

Application 12/04465/FU

To agree the application in principle and to defer and delegate approval to the Chief Planning Officer, subject to the conditions and reason for approval set out in Appendix 1 to the submitted report (and any others which might be considered appropriate), subject to further discussions about the inclusion of a water turbine at the second weir and subject to addressing the EA's comments

Application 12/04466/LI

To agree in principle and defer and delegate to allow the application to be referred to the Secretary of State for the Department of Communities and Local Government subject to the conditions and reason for approval set out in Appendix 1 to the submitted report (and any others which might be considered appropriate) and subject to addressing the EA's comments

60 Application 12/03459/FU - Multi-level development up to 17 storeys with 609 residential apartments, commercial units (class A1 to A5, B1, D1, D2), car parking, associated access, engineering works, landscape and public amenity space - land at Whitehall Road and Globe Road LS12

Further to minute 37 of the City Plans Panel held on 22nd November 2012 where Panel considered a position statement for a mixed-use development on land at Whitehall Road and Globe Road, Members considered the formal application. It was noted that a further, exempt report was to be considered by Panel which related to financial information

Plans, photographs, graphics, a sample of the gold coloured balcony material and a model were displayed at the meeting

Officers presented the report and stated that through revisions to the scheme 609 residential apartments were now being proposed instead of the original 625 units

The tower building had been reduced in width which was considered to be a significant improvement on the previous proposal. This reduction had also emphasised the curve of the building which picked up the curve of the nearby Candle House, at Granary Wharf and provided a simple and elegant approach to this feature building. To add further interest, the ground floor would house active uses, e.g. restaurant/café/bar use

To address Members' concerns about the balance of hardstanding and play areas within the scheme, the amount of grassed area on the site had been increased, although it was acknowledged that some hardstanding would be required. A play area had also been introduced which would include play equipment and special surfacing. The public seating had been improved with the stone seating now being timber boarded and a 250sqm 'beach' on top of the car park deck had been included, with this being for residents' use only. In addition to this, the 'green wall' would be a feature of the public space

A wind assessment had been carried out and been accepted by the Council's consultants

Members commented on the following matters:

- the lack of an education contribution, particularly in view of the need for school places in inner city schools; the impact of the proposals on Castleton Primary and Ingram Road Primary and the need for Members to be reassured that there was liaison between planning and education colleagues and whether the right balance of planning contributions was being sought, in view of the increased need for school places
- the need for the communal play area to be properly lit
- concerns that the red brick and gold combination did not look as effective as the grey brick and gold and whether different coloured balconies could be considered for the red brick buildings
- how the gold material would weather and the need for a large sample to be displayed on site, along with alternative colours for consideration
- that the balcony facings would look unattractive if damaged and whether the material being proposed for these was sufficiently strong to withstand damage
- uncertainty about the success of the effect of juxtaposing the grey tower and the red brick buildings
- that the industrial/factory look of the smaller buildings was effective

- mixed views about the protruding balconies and whether these should be as prominent as indicated
- concerns that the proposed play areas were geared towards very young children and that there was little being provided for older children living on the site
- the positioning of balconies above the active uses and the possibility of noise nuisance

Officers provided the following responses:

- that there was very close working with colleagues in Education about planning for school places and that whilst developments did make contributions, it was not always possible to cover all of the requirements, especially where there were issues of viability. Members were informed of proposals for an Academy to be sited close to Bridgewater Place which would resolve the issue of secondary provision in that area and that there were separate proposals for a primary school on the site of the former South Leeds Sports Centre which would also make a contribution towards primary provision. The Head of Planning Services stated that in respect of planning contributions, Officers had to work within the policies which were currently in place and for education contributions there was a standard formula for these, however the Community Infrastructure Levy would be implemented in the next 12 months which would change how planning contributions would be considered
- that full details of the lighting scheme would be requested
- that the gold coloured material would patinate over time but that the materials were conditioned and large samples, including different colours, could be displayed on site for Members' consideration
- that different play areas were being provided in the scheme and for older children there were existing nearby areas for recreational use by the river and canal

Members were supportive of the changes which had been made and were now content with the layout and design of the scheme but still had issues which were to be discussed in the following report

RESOLVED – To note the report and the comments now made and to discuss the detailed financial aspects associated with the application as set out in the following report

61 Application 12/03459/FU - Multi-level development up to 17 storeys with 609 residential apartments, commercial units (class A1 to A5, B1, D1 and D2), car parking, associated access, engineering works, landscape and public amenity space - land at Whitehall Road and Globe Road LS12

Prior to consideration of this matter, Councillor Hardy left the meeting

With reference to the discussions set out above, Panel considered a report of the Chief Planning Officer which provided information concerning the

viability of the proposed application. An Officer from the Council's Asset Management Team was in attendance to respond to queries and comments

The Head of Planning Services presented the report and stated that whilst there was a wish to see the site developed, the applicant had submitted a viability appraisal which had been considered by Officers

Members were reminded of the usual requirements for a development of this nature, including affordable housing at the current interim level of 5% which would equate to 31 units and the development to start within 2 years. Members were then referred back to the previous report which set out the proposed S106 agreement. The Panel was informed that Officers had concerns about the proposed contributions and were discussing the scheme with Atlas – the stalled scheme initiative

Members discussed the report with the main areas of discussion relating to:

- the need for clarity on the phasing of the scheme and the need for clarity that development would start within the current economic conditions
- the likely cost of delivering the bridge and the significance of this to the overall scheme
- that insufficient details had been provided to enable Members to properly consider this issue and that more of the background information on the viability appraisal was required
- affordable housing was a priority for the scheme and that this should be provided
- that an education contribution was also a priority in this case and was required

In view of the concerns which had been raised, it was proposed that rather than defer and delegate approval of the application, that Officers be asked to continue to negotiate with the applicant and to bring back a further report, for Members' consideration

RESOLVED - To note the report and the comments now made and that the Chief Planning Officer be asked to submit a further report in due course, following negotiations on the issues raised

62 Date and Time of Next Meetings

Thursday 7th February 2013 at 1.30pm in the Civic Hall, Leeds

Thursday 14th February 2013 at 1.30pm in the Civic Hall, Leeds