

## CITY PLANS PANEL

THURSDAY, 26TH SEPTEMBER, 2013

**PRESENT:** Councillor J McKenna in the Chair

Councillors P Gruen, D Blackburn,  
M Hamilton, S Hamilton, G Latty,  
T Leadley, E Nash, N Walshaw, M Ingham,  
J Cummins and J Lewis

### 67 Election of the Chair

In the absence of Councillor Taggart, nominations to Chair the meeting were sought

**RESOLVED** – That Councillor J McKenna be elected Chair for the duration of the meeting

Councillor J McKenna assumed the Chair

### 68 Request to Record the Meeting

The Chair reported that he had received a request for the meeting to be audio recorded

**RESOLVED** – That permission be granted for the meeting to be audio recorded

### 69 Announcements

- (i) **Application for the New Generation Transport (NGT) Scheme** – The Chair announced that a further meeting dealing with the New Generation Transport (NGT) Scheme would be held on Thursday 17th October 2013 in the Council Chamber at the Civic Hall, Leeds. The meeting would commence at 9.30am lasting until approximately 3.30pm
- (ii) **Flood Defences along the River Aire, Water Lane to Woodlesford** – The Chair reported on arrangements for a site visit to view the proposed River Aire Flood Alleviation Scheme. Two dates had been suggested: 22<sup>nd</sup> or 23rd October 2013, Members views were requested.

**RESOLVED** – That the visit be arranged for Tuesday 22<sup>nd</sup> October 2013 commencing at 9.30am

### 70 Late Items

There were no late items

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## 71 **Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

## 72 **Apologies for Absence**

Apologies for absence were received from Councillor Taggart and Councillor R Procter

## 73 **Minutes**

**RESOLVED** – That the minutes of the meeting held on 29<sup>th</sup> August 2013 be accepted as a true and correct record

## 74 **Applications 13/02967/FU/13/02968/FU and 13/02969/RM - Land bounded by Eastgate, George Street and Millgarth Street LS2 - Victoria Gate**

Further to minute 36 of the City Plans Panel meeting held on 1<sup>st</sup> August 2013, when Panel considered a position statement on proposals for a major mixed-use development on land bounded by Eastgate, George Street and Millgarth Street LS2. The Chief Planning Officer submitted a further report seeking Members determination on the following three applications for phase 1 of Victoria Gate:

- A Victoria Gate Arcades - Application 13/02967/FU  
Major mixed-use development including the demolition of all buildings and construction of retail (use classes A1, A2, A3, A4, A5), leisure (use class D2) casino (sui generis), public realm works and landscaping
- B Multi-storey car park - Application 13/02968/FU  
Demolition of Millgarth Police Station and the erection of a multi-storey car park and associated landscaping, means of access and highway works
- C John Lewis Store - Application 13/02969/RM  
Reserved Matters approval for Plot HQ1 (to be occupied by John Lewis) of the outline planning permission

Ms Sarah McMahon, Principal Planning Officer, City Development, presented the report and provided Panel with an update on the late comments received from Caddick Developments Ltd and spoke in detail about each of the applications, with particular reference given to the following areas:

### **Victoria Gate Arcades**

- Routes to the market
- Routes to Victoria Quarter
- Casino Development on upper floor
- Heritage rich area, neighbouring properties constructed using Portland stone and red brick
- Design features
- Improvements to existing electricity sub station

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- Entrances that make a statement

### **Multi Storey Car Park**

- Protection to New Generation Transport (NGT) route
- Access to culverts
- Cladding and twisted metal finish
- Landscaping scheme and active use area
- Night time lighting
- Connectivity to Quarry Hill
- Level of Car parking

### **John Lewis Development**

- Eastgate Entrance details
- Outside treatment, solid panels glass and terracotta
- Roof plan
- A request by the Civic Trust for a solid plinth
- Roof/ lighting

In summing up Ms McMahon said a lot of detailed discussions had taken place with the developers with satisfactory outcomes being reached. It was reported that officers were supportive of the scheme and were recommending approval of the applications

Members made the following comments:

- Overall the scheme was a good one, slight concern about the brick work it appeared to be “too fussy” also the car park from certain angles looked “soft” would it be possible to achieve a stronger look
- The scheme was fresh, lively and a really exciting scheme. Once completed it would offer employment opportunities for local people. One slight concern was the connectivity to Quarry Hill, this was an opportunity that should be further explored
- Connectivity to Quarry Hill was an important issue, landowners and stakeholders need to work together to achieve the best solutions. Concern expressed about the car park suggestion that the top section required resolution
- Car park was too dominant. Commenting on the facia to the John Lewis building, could the facia be the same height as the facia on the adjacent Bloomfield designed building. Concern expressed about the future of the Templar Public House
- Really good scheme but some concern over the timescale to demolish Millgarth Police Station
- Concern that the John Lewis building and the car park were two separate buildings, it was suggested that an opportunity had been missed to achieve a concealed car park within a wrap around building
- Really good scheme, brickwork not fussy but textured

Officers responded as follows:

- Officers confirmed that the top section of the car park would be looked at again
- Sample panels of the materials to be used would be obtained for Members to view
- The Chief Planning Officer confirmed that a meeting would be shortly taking place between the developers and other stakeholders to discuss the connectivity to Quarry Hill and the West Yorkshire Playhouse
- Officers confirmed that the future of the Templar Public House was not the subject of the application before Panel
- Responding to the concerns that the car park was too dominant. Officers said it was not possible to achieve the required number of parking spaces if the mass of the building was reduced.
- Commenting on the facade to the John Lewis building, it was suggested that although a similar design feature, it did not represent a mirror image
- In addressing the comments about the car park and the John Lewis building being developed as two separate buildings. Officers said as well as uncertainty as to when Millgarth Police Station would become vacant there were major practical constraints to achieving a “wrap around” building to the car park in terms of the route of the beck, the NGT requirements, highway access issues and accommodating the needs of John Lewis

In drawing the debate to a conclusion the Chair said he was aware that a lot of discussion had taken place with the developers and other interested parties. He said that the scheme put before Members today appeared to be a good one and was being recommended for approval by officers

## **RESOLVED**

### **(A) Victoria Gate Arcades - Application No.13/02967/FU**

That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the submitted report together with any others which may be considered appropriate and following the completion of a Section 106 Agreement to cover the following matters:

- A Travel Plan monitoring and evaluation fee of £15,000.00.
- A public transport infrastructure improvements contribution for Phase 1 of £262, 472
- The employment and training of local people.
- The provision of an area defined for Kirkgate Market’s use only for traders parking, loading and unloading to the south-eastern corner of the outdoor market.
- The provision, maintenance and the hours of public access of defined areas of public realm and landscaping.

- The protection of the NGT public transport corridor.
- Management fee payable within one month of commencement of development.

**(B) Multi Storey Car Park - Application No.13/02968/FU**

That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the submitted report together with any others which may be considered appropriate) and following the completion of a Section 106 Agreement to cover the following matters:

- The employment and training of local people.
- The provision, maintenance and the hours of public access of defined areas of public realm and landscaping.
- The protection of the NGT public transport corridor.
- Access to the Lady Beck culvert beneath the multi storey car park.
- Management fee payable within one month of commencement of development.

(Under Council Procedure Rule 16.5 Councillor Nash required it to be recorded that she voted against this decision

**(C) John Lewis Store - Application No.13/02969/RM**

That the application be deferred and delegated to the Chief Planning Officer for approval, subject to the conditions specified in the submitted report together with others which may be considered appropriate.

In the circumstances where the Section 106 Agreement in respect of applications 13/02967/FU and 13/02968/FU had not been completed within 3 months of the resolution to grant planning permission the final determination of the application would be delegated to the Chief Planning Officer.

(Prior to consideration of the following item Councillor J Procter informed the meeting that as a Ward Member he had participated in meetings of the Thorp Arch Estate Consultative Forum but had not expressed a view in terms of a decision on any applications being brought forward)

**75 Application 13/03061/OT - Thorp Arch Estate Wetherby LS23 - Position Statement**

With reference to Minute No. 86 of the meeting of City Plans Panel held on 14th March 2013, when Members received a pre-application presentation on proposals for a major residential development at Thorp Arch Estate.

minutes approved at the Meeting to be held on 24<sup>th</sup> October 2013

The Chief Planning Officer now submitted a report which provided the current position in respect of the Outline Application submitted for residential development with associated parking, landscaping, primary school, village centre, retail development, sports pavilion, play area, amenity space and off site highway works at Thorp Arch Estate, Wetherby, LS23 7FZ

Mr David Newbury, Area Planning Manager, City Development presented the report and spoke in detail about the scheme. It was reported that further representations and objections had been received, however, no new issues had been raised. Significant objections to the scheme had been received from Thorp Arch Parish Council and the TATE Action Group (TAG)

Main objections related to the following issues:

- Unsustainability/ viability of the site
- Objections previously raised to the development of the site by the UDP Inspector had not been overcome
- More suitable sites were available
- The application was premature in advance of the emerging Core Strategy, Site Allocations Plan and Neighbourhood Plans
- Dispute about whether the whole site could be considered as being brown field allocation
- Speed of delivery of the scheme
- Submitted highway information was inadequate
- Relief road would be ineffective
- Traffic would be forced down Wood Lane

Officers reported that Boston Spa Parish Council were supportive of the scheme subject to early provision of the proposed relief road and no parking restrictions on Bridge Road.

Addressing the Outline Application Mr Newbury reported that:

- The application was now for up to 2,000 dwellings
- A village centre comprising a convenience store and other small retail outlets would be created
- New community facilities would include; sports pitches, proposals for the re-adjustment of land uses including consolidation of commercial/ industrial development to the south
- A hub containing retail and community facilities
- Off site infrastructure including a relief road

Feedback from Panel Members:

- The proposed public transport provision was inadequate, that something had to happen with the site, that the development should provide facilities to meet the day to day needs of the residents, further information was required in respect of affordable housing and the need

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for older persons accommodation, attention should be paid to the phasing development in terms of the length of the build and that each phase should be completed to create an appropriate environment for residents and that the precise route and effectiveness of the proposed relief road required further evaluation

- The masterplan did not yet represent the comprehensive and sustainable form of development that Members desired
- It was agreed that a high quality indicative layout had been achieved and that the appearance of the housing did reflect the guidelines as set out in the Design and Access Statement
- The applicant's landscaping strategy was appropriate
- The proposed route of the Relief Road was acceptable (subject to the amenities of local residents being protected)
- The Relief Road should be delivered prior to the commencement of the construction of the housing development
- On the proposed use of a bus gate or a suitably designed staggered junction to limit the use of Church Causeway by traffic generated by the development. It was agreed that further investigations were required and that a mechanism to review the effectiveness of the highway measures was required to be built into any Section 106 Agreement so that further traffic mitigation measures could be implemented if a need arose
- In order to address the ecological impact of the development to be appropriate and proportionate in the context of trying to deliver a sustainable form of housing development on the site. It was agreed that more information was required
- In circumstances where the applicant had demonstrated that the development was not viable, Members had no concerns about the principle of offsetting the cost of the Relief Road against a proportion of the affordable housing requirement
- Was it appropriate to accept a commuted sum in lieu of some affordable housing and if so what proportion should be delivered on site? It was the opinion of Members that this should be addressed at a later date
- In offering comment in respect of the mix and size of the units to be delivered as part of the development. It was the view of Members that further information was required
- Was it considered to be appropriate that clauses should be included in the Section 106 Agreement that facilitated the enhancement and upgrading of the infrastructure on the retained employment area as a result of this development? It was the view of Members to develop a strategy, through negotiation, to look after existing businesses; British Library and the prison to protect existing employment and future employment opportunities
- Members expressed concern about the proposed timescale for the delivery of the development and requested if it would be possible to secure a reduction in the length of time to complete the scheme

In summing up the Chair said this was a substantial development, progress was been made and he thanked all parties for their contributions,

**RESOLVED** – To note the report, the presentation and the comments now made

**76 Date and Time of Next Meeting**

**RESOLVED** – To note that the next meeting will take place on Thursday 24<sup>th</sup> October 2013 at 1.30pm in the Civic Hall, Leeds.