

## CITY PLANS PANEL

THURSDAY, 9TH OCTOBER, 2014

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

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

### 54 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### 55 Late Items

There were no formal late items, however the Panel was in receipt of a supplementary report in relation to applications 14/01660/OT – Land east of Otley Road Adel and 14/01874/OT – land off Church Lane Adel, providing an update on highways matters and proposing amendments to some of the reasons for refusal set out in the main reports and proposing a further reason for refusal (minutes 60, 61 and 62 refer)

### 56 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

### 57 Apologies for Absence

Apologies for absence were received from Councillor R Procter

### 58 Minutes

**RESOLVED** - That the minutes of the City Plans Panel meeting held on 18<sup>th</sup> September 2014 be approved

### 59 Matters arising from the minutes

With reference to minute 48 – application 13/03051/OT- Spofforth Hill Wetherby, the Chief Planning Officer stated that a report back on the

outstanding matters in respect of this application would be submitted to the City Plans Panel meeting on 30<sup>th</sup> October 2014

**60 Application 14/01660/OT - Outline application for residential development (up to 80 dwellings) - Land east of Otley Road Road, Adel, Leeds and Application 14/01874/OT - Outline application for residential development (up to 46 dwellings) and public open space at land east of Church Lane Adel**

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

Although there were two applications for consideration on the same PAS site, the decision was taken to present both applications together, although it was stressed that Panel would need to determine the applications separately

Application 14/01660/OT was presented by Officers and Members were informed of the revisions made to the scheme which originally had proposed 88 dwellings. Whilst English Heritage had objected to the original scheme in respect of its impact on the setting of the adjacent Grade 1 Listed Church, the removal of the dwellings sited closest to the church had satisfied English Heritage sufficiently to withdraw its objection, although adequate screening and landscaping had been requested by the organisation

Application 14/01877/OT was presented by Officers, with Members being informed that a revised plan for this scheme had also been submitted, with access now being from the Centurion Fields development. English Heritage had also withdrawn their objection to this scheme

The reasons for refusal of both applications were outlined to Members, with reference being made to the supplementary report which had been circulated prior to the meeting. Members were also informed that in respect of application 14/01847/OT, the applicant had requested the report be withdrawn to enable highway modelling relating to the NGT proposals to be completed by the NGT team, with the applicant considering it to be unreasonable to refuse the application on potential highway impact when the necessary modelling work, funded by the applicant but carried on behalf of the Council was not completed. Having considered this, Officers proposed an amendment to reason 2 for refusal on both applications and an additional reason relating to highways on both applications with these being set out in the supplementary report before Panel

Following additional representations received from the applicant's highways consultant, further highway improvements were now proposed for both applications. It was noted that these improvements although welcome, had been made at a late stage and Officers had been unable to fully assess these proposals, however it was felt that reason 4 for refusal of both applications could be deleted, subject to amendments to reason 5 for refusal, as set out in the additional report

The Transport Development Services Manager clarified the highways issues in respect of both applications and reiterated the view that despite the recent offer of further highways improvements, concerns remained about the impact of the proposals on the local highway network; that not all the data

necessary had been provided and that the impact of the proposals on surrounding roads and junctions had not been addressed. Regarding the issue raised by the applicant around NGT modelling, this had been addressed by amending the reasons for refusal

The Panel then heard representations from a representative of the applicant who stated he was content to deal with both of the applications at the same time, with the Chair advising that he would have up to 6 minutes to address Members

Issues raised by the applicant's representative included:

- that the area of the site had been reduced and brought within the limit set out in the interim PAS policy
- that an extension of time was sought to enable the highways modelling work to be completed in order that discussions with Highways Officers could continue on the transport assessment

The Panel then heard representations from a local objector who outlined local concerns about the two applications, which included:

- heritage concerns and that some comments on this aspect had not been included in the report before Panel
- traffic access and the impact of NGT and the proposed Park and Ride
- the absence of reference to possible impact on historic trees on the site and that this should be included as a reason for refusal of the applications
- that the applications were premature; that existing infrastructure and facilities were under pressure and that there were issues of sustainability in respect of the proposals
- proposals for housing development elsewhere in the locality
- that the developments would not cater for local housing needs
- issues of housing mix and tenure types

The Panel discussed the applications, with the main areas of discussion relating to:

- the merits of deferring consideration to enable further work on the highways issues to be undertaken, with a lack of support for this course of action
- the transport assessment and the extent to which developments beyond Adel had been considered
- the strength of the Council's position on housing land supply and that 6.4 years' worth of land for housing could be demonstrated
- the housing needs of Leeds and the large number of brownfield sites which could be developed rather than greenfield sites
- the historic value of St John's Church and that despite the comments of English Heritage, the proposals would have an impact on the setting of the church
- the impact of the proposals on the residents at Centurion Fields, with concerns that a rat-run would be created
- the need for infrastructure to be considered at an early stage on major housing developments
- concerns about the lack of school places and the duty Members had as corporate parents

- possible flooding issues
- the changes to the planning system brought about by the NPPF; the emphasis on building and development linked to economic recovery; the need for local residents to appreciate the pressures which existed and that each application considered by the Council would be done so fairly
- the seemingly different approach taken to a housing application on a PAS site in Wetherby, which was recommended for approval. The Chief Planning Officer stated that the PAS site applications which had come forward had been carefully assessed against the Council's policy and so far, the Panel had taken the view that where an application complied with the interim PAS policy it should be allowed

**RESOLVED** - To note the report, the supplementary report, the presentation by Officers; the representations made by the applicant's representative and a local objector and the comments now made and to move to determine each of the applications

**61 Application 14/01660/OT - Outline application for residential development (up to 80 dwellings) and public open space at land east of Otley Road Adel**

With reference to the discussions set out in minute 60, the Panel considered how to proceed

For the avoidance of doubt, the Head of Planning Services clarified the reasons for refusal of the application, in view of the amendments made in the supplementary report before Members

**RESOLVED** - That the application be refused for the following reasons:

1 The Local Planning Authority considers that the release of this site for housing development would be premature being contrary to Policy N34 of the adopted Leeds Unitary Development Plan Review (2006) and contrary to Paragraph 85, bullet point 4 of the National Planning Policy Framework. As the application site forms part of a larger designation of safeguarded land (total 11.7 ha), is not located in an area where housing land development is demonstrably lacking and does not include or facilitate significant benefits, it also fails to meet the criteria set out in the interim housing delivery policy approved by the Council's Executive Board on 13<sup>th</sup> March 2013, to justify early release. The suitability of the site (and the wider safeguarded area of which it forms part) for housing purposes needs to be comprehensively reviewed as part of the preparation of the ongoing Site Allocations Plan

2 The Local Planning Authority considers that the applicant has so far failed to provide the necessary information to demonstrate that the proposals can be accommodated safely and satisfactorily on the local highway network in relation to impact on the proposed NGT junction designs

3 The Local Planning Authority considers that the applicant has so far failed to provide the necessary information to demonstrate that the proposals can be accommodated safely and satisfactorily on the local highway network. Specific issues relate to the validity of the traffic count data used, the lack of future traffic growth applied to future year scenarios and validity of queue length modelling at the Church Lane/A660 junction. In addition, no assessment has been made of impact at the Long Causeway/Adel Lane or Weetwood Lane/ Ring Road junctions

4 The Local Planning Authority considers that the proposed means of access via a signalised junction onto the A660 will unnecessarily delay movement and increase road traffic accidents on the A660 and is therefore an unsuitable form of access into the site and that as such the proposals would be detrimental to the safe and free flow of traffic and pedestrian and cycle user convenience and safety. Also that the applicant has failed to work with the adjacent applicant to take opportunities to provide a comprehensive access solution to both sites. For these reasons the application does not comply with policies GP5, T2, T2B and T5 of the adopted Leeds Unitary Development Plan (Review) 2006, policies T2 of the emerging Core Strategy and guidance contained within the adopted Street Design Guide SPD

5 In the absence of a signed Section 106 agreement, the proposed development so far fails to provide necessary contributions for the provision of affordable housing, education, greenspace, public transport, cycle and pedestrian connections; travel planning and off site highway works contrary to the requirements of Policies H11, H12, H13, N2, N4, T2, GP5 and GP7 of the adopted UPD Review (2006) and related Supplementary Planning Documents and contrary to Policies H5, H8, T2, G4 and ID2 of the emerging Core Strategy and guidance in the NPPF. The Council anticipates that a Section 106 agreement covering these matters could be provided in the event of an appeal, but at present reserves the right to contest these matters should the Section 106 agreement not be completed or cover all the requirements satisfactorily

**62 Application 14/01874/OT - Outline application for residential development (up to 46 dwellings) and public open space at land east of Church Lane Adel**

With reference to the discussions set out in minute 60, the Panel considered how to proceed

For the avoidance of doubt, the Head of Planning Services clarified the reasons for refusal of the application, in view of the amendments made in the supplementary report before Members

**RESOLVED** - That the application be refused for the following reasons:

1 The Local Planning Authority considers that the release of this site for housing development would be premature being contrary to Policy N34 of the adopted Leeds Unitary Development Plan Review (2006) and contrary to

Paragraph 85, bullet point 4 of the National Planning Policy Framework. As the application site forms part of a larger designation of safeguarded land (total 11.7 ha), is not located in an area where housing land development is demonstrably lacking and does not include or facilitate significant benefits, it also fails to meet the criteria set out in the interim housing delivery policy approved by the Council's Executive Board on 13<sup>th</sup> March 2013, to justify early release. The suitability of the site (and the wider safeguarded area of which it forms part) for housing purposes needs to be comprehensively reviewed as part of the preparation of the ongoing Site Allocations Plan

2 The Local Planning Authority considers that the applicant has so far failed to provide the necessary information to demonstrate that the proposals can be accommodated safely and satisfactorily on the local highway network in relation to impact on the proposed NGT junction designs

3 The Local Planning Authority considers that the applicant has so far failed to provide the necessary information to demonstrate that the proposals can be accommodated safely and satisfactorily on the local highway network. Specific issues relate to the validity of the traffic count data used, the lack of future traffic growth applied to future year scenarios and validity of queue length modelling at the Church Lane/A660 junction. In addition, no assessment has been made of impact at the Long Causeway/Adel Lane or Weetwood Lane/ Ring Road junctions

4 The Local Planning Authority considers that the proposed means of access via a signalised junction onto the A660 will unnecessarily delay movement and increase road traffic accidents on the A660 and is therefore an unsuitable form of access into the site and that as such the proposals would be detrimental to the safe and free flow of traffic and pedestrian and cycle user convenience and safety. Also that the applicant has failed to work with the adjacent applicant to take opportunities to provide a comprehensive access solution to both sites. For these reasons the application does not comply with policies GP5, T2, T2B and T5 of the adopted Leeds Unitary Development Plan (Review) 2006, policies T2 of the emerging Core Strategy and guidance contained within the adopted Street Design Guide SPD

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**63 Application 14/03023/EXT - Extension of time of previous approval 08/02061/FU for multi-level development up to 9 storeys high above ground level comprising 46 student cluster flats and 24 studio flats (total of 239 beds) and 1 retail unit, car parking, common room and ancillary facilities - Land at Cavendish street, Woodhouse, Leeds**

Councillor J Lewis joined the meeting at this point

Plans, photographs, graphics and a sample panel of the proposed materials were displayed at the meeting

Officers presented the report which sought an extension of time limit for the implementation of a scheme for student housing approved in principle at the former Plans Panel City Centre on 11<sup>th</sup> September 2008 and granted planning permission on 15<sup>th</sup> September 2009

Members were informed that all parts of the scheme were exactly the same as the original approved scheme. Although there had been changes to both the development plan and national planning guidance since the original application was granted consent, as detailed in the Chief Planning Officer's report to Panel, it was recommended to Members to approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to conditions and the completion of a S106 Agreement Deed of Variation

Although there were no registered speakers to this application, the Chair informed Members that the applicant's agent was in attendance to respond to questions from the Panel, if required

Members considered the application, with the key areas of discussion relating to:

- the design principles of buildings in this location
- the need for further student housing
- the impact of large scale student developments in this area and the concerns which had been raised at the time these applications had begun to emerge
- the sizes of some of the studios, particularly those at 19.4sqm and the need for these to be enlarged or reconfigured into cluster flats. Officers agreed to pursue this issue with the developer
- the proposed materials; their durability and weathering; how the condition relating to the materials would be discharged; the design of the windows and the coloured glazed elements
- that the application dated from 2002 with concerns that Panel was being asked to accept something which was dated and did not provide the space Members would require in an application submitted in 2014
- the reasons for the delay in implementing the planning permission and the likelihood of the scheme being delivered. The Chair invited the applicant's agent to respond to these points

To assist Members with their deliberations, the Head of Planning

Services stated that extension of time applications had been brought in by the Government to help deal with the effects of the recession, although only one extension of time application could be made. It was possible to amend the time period for implementation, with a period of 18 months being suggested for Members' consideration. Whatever time limit was agreed if the approval had not been implemented, the applicant would need to reapply

Regarding the room sizes, the Head of Planning Services stated that standards were changing; the Council was moving to a 'Leeds Standard' for residential dwellings and that guidance was also being proposed as part of a National Standard

Members continued to discuss how to proceed and noted the applicant's agent's request for a minimum period of 2 years for implementation

**RESOLVED** - To defer and delegate to the Chief Planning Officer for approval in principle, subject to the conditions set out in the submitted report; with an amendment to condition 1 to specify the period of implementation of the planning approval to be 18 months from the date of the permission; further discussions with the applicant to secure a minimum acceptable studio size or reconfiguration to provide an improved layout by incorporating the smaller studios into the adjacent cluster flats and following the completion of a Section 106 Agreement Deed of Variation to cover the following matters:

- restriction of use to full-time students only
- travel plan implementation and monitoring fee prior to occupation - £2500
- £8,000 - student cycles for hire contribution
- £15,000 – provision of Metro tickets
- £10,000 – contribution for improved pedestrian links/public realm enhancement
- public access
- enhancements to local Traffic Regulation Orders if necessary and new TROs for new off-street servicing facilities
- employment and training opportunities for local people in City and Hunslet Ward or any adjoining Ward
- management fee payable within one month of commencement of development - £2250

In the circumstances where the Section 106 Agreement has not been completed within 2 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer. In the event that a satisfactory outcome cannot be achieved on the size of the small studios, that the application be returned to Panel for final determination

## **64 Date and Time of Next Meeting**

Thursday 30<sup>th</sup> October 2014 at 1.30pm in the Civic Hall, Leeds



