

CITY PLANS PANEL

THURSDAY, 18TH APRIL, 2019

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, T Leadley,
N Walshaw, C Campbell, A Khan, E Nash,
P Carlill, C Gruen, J Goddard, B Anderson,
D Cohen, P Wadsworth and S Hamilton

A Members site visit was held in connection with the following applications:
Application No. 18/05017/FU – Delivery of Manston Lane Link Road and
PREAPP/1800291 – Tower Works, Globe Road, Leeds and was attended by
the following Councillors: J McKenna, C Campbell, E Nash, C Gruen, T
Leadley, P Wadsworth, D Blackburn and S Hamilton

155 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

156 Exempt Information - Possible Exclusion of Press and Public

There were no items identified where it was considered necessary to exclude
the press or public from the meeting due to the confidential nature of the
business to be considered.

157 Late Items

The Committee accepted the inclusion of a Late Item of business “the Minutes
of the previous meeting held on 28th March 2019. This information was not
available at the time of agenda publication/ circulation and it was considered
to be in the best interests of the Council and other parties concerned that the
matter be considered without delay (Minutes No.160 referred)

158 Declarations of Disclosable Pecuniary Interests

There were no declarations of any disclosable pecuniary interests.

159 Apologies for Absence

Apologies for absence were received from Councillor A Garthwaite

Councillor S Hamilton was in attendance as a substitute Member.

160 Minutes of the Previous Meeting

The Minutes of the previous meeting held on 28th March 2019 were submitted
for comment/approval.

RESOLVED – That the Minutes of the previous meeting held on 28th March 2019 be accepted as a true and correct record.

161 Application No. 18/05017/FU - Removal of condition 50 (MLLR delivery) of approval 16/07938/OT, on land Between Barrowby Lane and Manston Lane, Thorpe Park, Leeds

The Chief Planning Officer submitted a report which provided an update in respect of an application for the removal of Condition 50 (MLLR delivery) of approval 16/07938/OT on land between Barrowby Lane and Manston Lane, Thorpe Park, Leeds.

Members noted that this report had been submitted as part of the agreement to bring regular updates to Panel regarding the Manston Lane Link Road (MLLR).

At the last meeting, Members were informed that there had been a slight slippage to the schedule with an anticipated completion for the MLLR project of 18th April 2019. In the latest update it was reported that the completion date continued to slip, the proposed revised completion now being 30th April 2019.

The Chair invited Councillor P Gruen, local Ward Member to address Panel.

Councillor Gruen said that as one of the local ward Councillors he had had a good long standing relationship with the developers of the Springs Project. However, the delivery of the MLLR scheme had not gone so well and had over time seen the management of the project spiral out of control.

The regular reporting at each meeting since January had been helpful in that it has provided first hand evidence regarding progress. Sadly it was noted that at every meeting further delay had been reported and so it is again this time. We have now slipped from a very generous 9th April end date, first to mid-April and now to the end of April; with a reference to end of May even.

Councillor Gruen said his constituents, who have been very patient, had now become very vocal on social media in their incredulity how professional contractors can preside over such a disastrous situation.

There was clearly a total lack of rigour in the forward planning and these systemic failures point to a massive failure in control.

He suggested there were implications for the Planning department and Plans Panel. It must be deeply uncomfortable to continually present reports to Panel which indicate that the previous report has been flawed; not once, but repeatedly. Members had given a very well respected developer the benefit of the doubt time and again.

He said there were lessons to be learnt from this process and he would like to see a proper review established which analyses how this situation developed over time, whether the planning system exerted sufficient control and whether

at various stages a more comprehensive response would have been helpful. In addition, Councillor Gruen suggested whether some thought could be given in future to analysing the deliverability record of developers before consent is granted.

Questions to Councillor P Gruen

- What had been the impact of the delay on the local community?
- What lessons are to be drawn from this project?

In responding to the issues raised, Councillor Gruen said:

- There was a commitment provided that no house building would take place on the Barnbow Site until such time the MLLR had been delivered, at that time the proposed completion date was October/November 2018. Luckily no housing developers had come forward wishing to start building during this period. Hopefully the road would now be finished before further house building takes place.
- The lessons to be taken away from this project are that appropriate controls, checks and balances must be put in place. Any late completion should result in financial penalties to the contractor/ developer

Questions to the Developer

- What do you consider to be the core reason for the delay in completion of the project?
- Last winter was the mildest in some time. Poor weather conditions should be built into any contingency, was it not possible to increase the working hours?
- Could a guarantee be provided that the MLLR would be completed by the end of April 2019?

In responding to the issues raised, the developer said:

- The completion of the railway bridge delayed progress by a number of weeks. There was also periods of wet weather resulting in further delay because some of the materials could only be laid in dry conditions.
- There was also a significant amount of mine workings/ obstacles which required capping or removal. This was a complicated earthwork project which had possibly been underestimated at the planning stage.
- It was reported that additional working hours were delivered but certain earthworks could not be progressed in periods of wet weather.
- The current position on-site is that the tarmac has now been laid, white lines applied and the pedestrian footways are operational.
- Members were advised that no guarantee could be offered, the works need to be signed off before traffic could flow, but it was anticipated that traffic would be running by 30th April 2019.

- Members were thanked for their ongoing support throughout and pragmatism in how the situation has been responded to and dealt with.

In offering comment the Chief Planning Officer said that learning points had been taken from the situation that had arisen with MLLR, even if there has been no formal review and record made of this. Appropriate controls, checks and balances had been put in place as part of the original planning permission, which have also been added to as the situation has developed. Instituting a better process for the provision of updates and feedback earlier on may have been beneficial, but planning is always something of a 'blunt' instrument and ongoing problems have to be dealt with appropriately as they arise.

Councillor Cohen said he was disappointed that the Panel had agreed to allowing the cinema to open before completion of the road which in his view had taken the pressure off the developer to complete the road as quickly as possible.

In offering comment Councillor P Gruen said that an honest appraisal of the situation was required. Incremental delays had been very damaging and this was not acceptable.

The Chair thanked the developers for their attendance and for responding to Members questions. The Chair wished the developers every success in completing the scheme

RESOLVED –

- (i) That the contents of the report be noted.
- (ii) To note that revised anticipated completion for the MLLR project was now 30th April 2019.

162 Application No. 18/07799/FU - Demolition of the existing former cinema building and the construction of a 17 storey building comprising ground floor retail (A1, A2, A3, A4, A5) and upper floors office space (B1), with plant and ancillary accommodation at basement level, at the Merrion Centre, Merrion Way, Leeds, LS2 8NG.

The Chief Planning Officer submitted a report which set out details of an application which sought the demolition of the existing former cinema building and the construction of a 17 storey building comprising ground floor retail (A1, A2, A3, A4 and A5) and upper floors office space (B1), with plant and ancillary accommodation at basement level at the Merrion Centre, Merrion Way, Leeds, LS2 8NG.

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

Planning Officers together with the applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site/ location/ context
- Former Cinema site
- Proposed new building occupies the same footprint as the cinema
- Construction of a 17 storey building
- New ground floor retail unit
- Ground floor reception lobby
- Co-working (Flexible and shared) space at levels 2 – 4
- Office floor space at floors 5 – 17
- Ancillary accommodation and plant area would be set out at basement level
- Materials/ design
- Landscaping / public realm
- New access route through to Wade Lane
- To the rear of the new building it is proposed to create a new publicly accessible landscaped courtyard with entrances from the lobby of the new building and from the current access points to this area from Wade Lane
- Impact on skyline

Members raised the following questions:

- How would this building be serviced
- How would any servicing of the building avoid conflict with pedestrian access arrangements
- The proposed new open space did not appear to be very inviting, how would this be addressed
- At the earlier pre application presentation Members suggested a more iconic design was required
- How would the demolition of the existing building be managed
- Would a wind survey be undertaken
- Do the proposals aim to meet the requirements of planning policies EN1 and EN2
- Referring to the “red line” Members queried if the submitted plan was correct

In responding to the issues raised, the applicant's representative and council officers said:

- Members were informed that the existing service route would remain, with tunnels and servicing areas under the existing building still being intended to be used in the main
- Members were informed that the intention was to provide high quality public realm which creates an attractive space and makes the area inviting as a through route
- Finishing of the public realm space will be such that it will feel in its entirety to be a pedestrian area, so this will help to mitigate any conflict

with the safety of pedestrians from servicing vehicles over the space – which will anyway be kept to a minimum

- The City Centre Team Leader suggested the term “iconic” often referred to the design of a building that set it apart from others. It was suggested to Members that this building sits in the heart of a shopping centre and with a more limited footprint, so its design should be complementary with the other buildings in the area but it was still a high quality design. The Principal Officer (Planning & Sustainable Development) said the design before Members was a fine example of “Modernism” – discipline with control, the design of this building was real quality.
- Members were informed that a construction management plan would be required as a condition of the planning consent
- It was reported that a wind survey had already been undertaken and had also been reviewed by independent consultants, as a consequence localised wind mitigation measures may be required to the car park and landscaped areas but these measures are unlikely to affect the scale and form of the proposed building and the full details will be controlled by planning condition.
- The applicant confirmed the development did meet those Council’s sustainable construction standards through the use of mechanical plant and design features. The City Centre Team Leader said that policies EN1 and EN2 were being applied to all developments so as to reduce carbon emissions below Building Regulation standards
- The applicant expressed the view that, the very fact the building is still standing and operational after its creation and opening in the early 1960s, is evidence of its inherent sustainability credentials
- The applicant suggested that the “red line” as indicated on the submitted plan may not be completely accurate and this can be amended to incorporate the areas that are of concern

In offering comments Members raised the following issues:

- It was the general view of Members that this was a good scheme with many positive features
- A number of Members suggested that further work was required to the open space at the back of the building and appropriately managing the space to avoid any conflict with servicing provision required for the building
- It was suggested that Birch Trees be used in the proposed public realm space

In summing up the Chair thanked all parties for their attendance and contributions, he suggested Members appeared to be supportive of the application but further work was required to the open space at the back of the building. This matter could be addressed further to the planning conditions

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the Appendix of the submitted report (and any others which he might consider

appropriate) and subject to the completion of a Section 106 Agreement to include the following obligations:

- Employment and training of local people
- The provision of publicly accessible areas
- A travel Plan fee of £10,297.00
- A sustainable Travel Fund contribution of £9,134.00
- A Management fee

In the event of the Section 106 having not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

163 PREAPP/18/00291 - Pre-application presentation of revised proposals for redevelopment of Tower Works comprising 243 residential units, ground floor commercial floorspace and new public realm, Globe Road, Leeds

The Chief Planning Officer submitted a report which set out details of a pre-application for revised proposal for redevelopment of Tower Works, comprising 243 residential units, ground floor commercial floor space and new public realm at Globe Road, Leeds.

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

The applicant's representatives addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location/ context
- The site as a whole comprises 1.1 hectares of brownfield land.
- Five of the surviving buildings are listed: The Engine Shed (Grade II), 6-8 Globe Road (Grade II) and three towers.
- The proposal is to create two new buildings, the first building ranging in height from 5 to 11 storeys, the second building 9 storeys in height
- 243 residential apartments: 127 one-bedroom, (52%), 104 two bedroom (43%) and 12 three bedroom (5%)
- The relationship between the three towers with the towers being allowed to dominate
- Massing
- Key Views
- The concept of three piazzas/ squares/ flexible space
- Interactive public open space
- Retail and commercial space
- Materials – brick with red brick tones closely related to that of the towers

Members raised the following questions:

- Are the applicants aware that the area can be prone to flooding
- Could alternative materials/ colours be used to contrast with the appearance of the towers
- Do the size of the apartments conform to the Nationally Described Space Standards (NDSS)
- Is the use of a sprinkler system and absence of a multitude of escape routes regarded as acceptable and best practice
- What will be the proposed use of the Towers and the Engine House
- Could more three bedroom apartments be provided

In responding to the issues raised, the applicant's representative and council officers said:

- Members were informed that a flood risk assessment has been undertaken and would accompany any formal planning application
- The intention is that there will be no residential or similar accommodation included at ground level
- The applicant confirmed that consideration would be given to the use of an alternative brick, to provide a subtle contrast
- The City Centre Team Leader said the proposed apartments do not conform to the NDSS and justification had been sought from the applicant why conformity to the standard was not appropriate in this development. The applicant's position was that the open plan layout would still provide net room sizes that met the minimum space standards where these are stated although the gross floor areas did not
- The City Centre Team Leader confirmed that the policy requirement for three bedroom apartments is one that is a blanket policy across the city, but can be applied with discretion in the City Centre and this has been the case in this instance – as it is acknowledged that there is a lower requirement for three bedroom / family-orientated accommodation in city centre locations
- The Chief Planning Officer stated that the approach of installing sprinkler systems was increasingly used and accepted as best practice across developments of this type
- The applicant reported that the towers and Engine House were not in the ownership of the developer so their use could not be confirmed, however, there was ongoing dialogue with the City Council concerning the use of the buildings and their relationship to the proposed development of the remainder of the site
- The applicant suggested there was a preference for more one & two bedroom apartments for City Centre Living, however, further consideration would be given to the provision of more three bedroom apartments
- The applicant emphasised that they have already gone through a tender process and so have a contractor in place ready to start work on the site once planning permission is obtained, such that there would hopefully be no repeat of previous instances where delivery of a

development on this site has not been achieved and development has not been progressed

In offering comments Members raised the following issues:

- In general Members appeared to be supportive of the concept of the development but emphasised the need to respect the setting of the existing Listed Buildings including Globe Quay to the west of the site
- Some Members to have certainty about the future maintenance and use of the towers and Engine House
- All Members were of the view that the apartment sizes were too small and did not comply with the NDSS – this is a clear policy requirement and must therefore be met
- Some Members welcomed the removal of an entry corridor in the apartments, to ensure that greater square-footage was given over to actual 'living' space
- Provision of more three bedroom apartments (Family accommodation) should be required to future proof the development
- Some disabled car parking was required
- Further details were required around the public realm provision but the general approach was supported
- The materials proposed for the new buildings create a bland and unrelieved appearance, there was too much red brick and some variation in colour was required
- The space between the Engine House and the new block to the north appeared to be too small
- There was a suggestion that more architectural detailing could be provided to the tops of the new buildings and their design could better reflect the historic design principles of the area
- Proposals for carbon reduction and high sustainable construction standards need to be included in any subsequent planning application
- The wall on Globe Road needs to be retained and better incorporated into the building design

In drawing the discussion to a conclusion Members provided the following feedback;

- Members were of the view that the proposed mass and form of the development and its relationship with the surrounding context was acceptable
- Members were supportive of the emerging architectural approach, however, further details were required and the comments of Members regarding materials etc. were to be noted
- Members were of the view that the approach to car parking provision within the site was acceptable with the inclusion of some disabled parking required
- Members were generally supportive of the design of the public realm areas with a suggestion that more greenspace be provided

- Members considered the proposed housing mix was generally acceptable
- Members expressed the view that the sizes of the apartments within the development was not acceptable

The Chair thanked the developers for their attendance and presentation suggesting that Members appeared to be generally supportive of the scheme

RESOLVED –

- (i) To note the details contained in the pre-application presentation
- (ii) That the developers be thanked for their attendance and presentation

164 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Thursday, 9th May 2019 at 1.30pm in the Civic Hall, Leeds.