

CITY PLANS PANEL

THURSDAY, 18TH JULY, 2019

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, C Campbell,
P Carlill, D Cohen, A Garthwaite, C Gruen,
A Khan, E Nash, P Wadsworth,
N Walshaw, G Latty and P Gruen

A Members site visit was held in connection with the following application: Application No. 18/04404/OT – Proposed residential development on land off Pontefract Lane, Richmond Hill, Leeds and was attended by the following Councillors: D Blackburn, C Campbell, P Carlill, A Garthwaite, C Gruen, J McKenna, E Nash, P Wadsworth, and P Gruen.

24 Appeals Against Refusal of Inspection of Documents

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

25 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.

26 Late Items

There were no late items of business identified.

27 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

28 Apologies for Absence

There were no apologies for absence.

29 Minutes of the Previous Meeting

The Minutes of the previous meeting held on 27th June 2019 were submitted for comment/ approval.

With reference to Minute No. 19, Members requested a minor amendment deleting the word “some” from the third bullet point in the Members questions, section.

Members also sought an amendment to Minute No. 21, the final bullet point of Members feedback to read “The provision of car parking for school staff together with disabled parking facilities, the provision of a pick-up and drop off area and how to address the noise from the nearby glass factory were fundamental issues”.

RESOLVED – That, with the inclusion of the above amendments, the Minutes of the previous meeting held on 27th June 2019 be agreed as a true and correct record.

30 Matters Arising from the Minutes

PREAPP/16/00453 – Pre-application proposal for Reserved Matters for 2 part six, part 8 storey office buildings and phases 1a & 1b of the City Centre Park at the former Tetley Brewery site, Hunslet Road, Hunslet, Leeds, LS10 1JQ (Minute No.20 referred) – Referring to the City Centre Park, Councillor Nash reported that she had had satisfactory discussions with officers and the applicant about the landscaping proposals, particularly relating to the tree species envisaged as part of the proposals. She had been informed that a significant amount of top soil would be used on site to assist tree growth, and the species of tree to be used would include: a variety of Birch trees, Hawthorn, Rowan, Horse Chestnut and Lime trees, there was also a suggestion that a number of Giant Sequoia trees may be planted.

Commenting on the David Oluwale Memorial Garden, Councillor Nash said this would be a subtle feature, located in a suitable location.

The Chair referred to a recent meeting of the Joint Plans Panel when provision of future training for Members on landscaping / tree planting was considered.

The Chief Planning Officer said preparations were currently being drawn up for a Members Workshop. Members would be notified once the arrangements were finalised.

31 Application No. 18/04404/OT - Outline Application for Residential Development of up to 701 Dwellings and Associated Landscaping, Infrastructure and Public Open Space at Land off Pontefract, Lane, Richmond Hill, Leeds

The Chief Planning Officer submitted a report which set out details of an outline application for residential development of up to 701 dwellings and associated landscaping, infrastructure and public open space at Land off Pontefract, Lane, Richmond Hill, Leeds.

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

Planning Officers addressed the Panel, speaking in detail about the proposal and highlighted the following:

- Site / location/ context
- The is an allocated housing site in the Aire Valley
- The application site is located on a plateau
- Key green infrastructure is located around the site
- This application is for Phase 2 of the development
- The proposal is for 701 dwellings with associated landscaping, infrastructure and public open space
- Dwellings to be two storey in height around the edge of the site, some three storey dwellings within the centre of the site
- The access points are not yet fixed
- Indicative layout at this stage, further details would be provided at the Reserved Matters stage
- Good access to amenity space in the north of the site
- Good pedestrian and cycling routes
- Some activity still ongoing on the restored landfill site
- Further exploration of Core Strategy Policy EN4 – Connection to District Heating Network
- Site is located nearby to the proposed HS2 depot
- Off-site highway improvement works required on the Bullerthorpe Lane junction (Section 106 Obligation)
- Flood risk assessment
- Update provided on the position regarding the Environment Agency's earlier Holding Direction with regard to the application
- Site Allocation Plan (SAP) now adopted at Full Council on Wednesday 10th July 2019, such that the authority now has a 5.5 year housing land supply

Members raised the following questions:

- Clarification regarding when activities on the neighbouring landfill site were likely to be completed, including the movement of waste internally on-site (not simply delivery of the same from external locations)
- The site is located on a raised plateau, would residential dwellings be seen on the skyline
- Members queried the use of the phrase “tilted balance” in paragraph 11.5 of the submitted report and the overall wording used in the Officer's concluding remarks in the report
- From the centre of the Phase 2 site, what was the walking distance to the Park and Ride facility
- The report title gave the impression that part of the site was located in the Richmond Hill Ward, could clarification be provided
- Members noted that as part of the Section 106 Agreement a shuttle bus service would be provided, Members queried if any discussions had taken place with the West Yorkshire Combined Authority to provide a regular bus route
- The phasing of the developments and guarantee that the site as a whole would actually be successfully completed, including whether it could be possible for phase 2 to be completed before phase 1

- Likely time-frame envisaged for the Reserved Matters application coming forward
- Reference was made to the SAP, Members sought clarification that the authority now had a five year housing land supply
- Would this development in any way prevent future plans for water transport

In responding to the issues raised, Planning Officers said:

- Officers confirmed residential dwellings would be seen on the skyline. Reference was made to site photographs and plans to illustrate this to Members further.
- The greatest concern in relation to the neighbouring landfill site arose from odour that could be emitted when material moved from external sources. Any issues that could arise due to movement of material within the site will be confirmed with Environmental Health Officers. However, the site is anyway at the end of its lifespan and by 2023 no waste will be imported into the site. The condition on the application is proposed as a 'fail-safe' to ensure this.
- Earthworks were currently ongoing with completion due by summer 2020. It was anticipated that the Reserved Matters application would be submitted in approximately 3 years.
- Clarification was provided to Members as to why certain wording had been included within the Officer's comments at the conclusion of the report – essentially being to show that the correct planning judgment / balance had been applied. In the event of there being no 5 year housing land supply, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It was suggested that such wording may have assisted if presented with a legal challenge. However, Members were informed that the Council is now able to demonstrate a 5.5 year housing land supply, following adoption of the SAP at Full Council on Wednesday 10th July. The "tilted balance" now does not therefore need to be engaged and the officer recommendation is a simple recommendation for approval.
- The Highways Officer suggested that the walking distance to the Park and Ride facility was approximately 2.5km (30 minutes walking time).
- Officers confirmed that no part of the application site was in the Richmond Hill Ward but is actually located within the Garforth and Swillington Ward. The reference to Richmond Hill is simply to provide an address for the site with reference to the closest area place name.
- Members were informed that discussions have been undertaken with the West Yorkshire Combined Authority. Following this, it was the view of officers that a shuttle bus was the right solution for this site (most sustainable solution). The shuttle bus would operate for a period of 10 years from occupancy of first dwelling, after that period it was envisaged the route would be viable and the 10 year-period was of sufficient length to establish this ongoing viability.

- Officers confirmed that each phase was dependent on completion of the previous phase. Obligations and trigger points were in place to prevent occurrences of 'stalling' and non-completion.
- Members were informed that the SAP had been adopted, there was a short period for challenge ending on 21st August 2019, but it was understood there were no challenges pending at this stage. The policies within the SAP are valid and extant.
- Members were assured that none of this development would prevent future water transport proposals.

Referring to allocation of the site under the SAP, the Chief Planning Officer confirmed to Members that the site was in any event allocated within the Aire Valley Area Action Plan for mixed use development under policies AVL7 and AVL10. This should reassure Members that the site has a firm allocation for housing purposes. In addition, the Council is undertaking its Core Strategy Review process and it is envisaged this will complete by September 2019. This would further strengthen allocation of the application site as defined.

In offering comments Members raised the following issues:

- There was strong support from Members for a Masterplan to be supplied
- Too little detail at this stage, need to see the Reserved Matters application. The reference to 701 dwellings should be removed.
- The indicative landscaping is poor, the public open space appears to be inadequate
- The layout needs to reflect the health and climate change agenda that seeks a holistic approach to development
- Residential development on a plateau is visually detrimental
- This is a large development, 701 dwellings, there were some concerns raised about the impact on the existing infrastructure and suitability of infrastructure to cope with such increased demands
- This site had the potential to become isolated
- Concern that the phasing proposed will not be followed, such that an incomplete site overall will be left unfinished
- 10 years for provision of the shuttle bus from occupation maybe inadequate before operation of a viable regular bus service. Therefore a robust travel plan is required including provision for some time after completion of the development
- Exciting/ innovative house designs are required incorporating the use of low carbon building techniques and focus energy efficiency and sustainability
- Full attention needs to be given to the health & wellbeing/ climate emergency agenda

Referring to the provision of a Masterplan, the Chief Planning Officer said some master planning had already taken place and it may be possible to bring a position statement/ information item to a future meeting of the Panel.

In addition, the Chief Planning Officer and Legal Officer reminded Members that the application is being made in outline only. However, the inclusion of a proposed number of dwellings in the application description at this stage is a legal requirement to give a clear scope and maximum to what is being approved / is acceptable on the site. Inclusion of a figure at this outline application stage is a standard approach followed now by the majority of local authorities to indicate the likely number of dwellings on a site. If the applicant wished to provide a greater number of units, it would resultantly have to return to the authority with a revised application proposal. In this case the proposed number of dwellings reflects the site allocation in the development plan.

In summing up, the Chair thanked all parties for their attendance and contributions, commenting that the Council had recently declared a climate emergency and that full attention needs to be given to the health & wellbeing/ climate emergency agenda by the applicant going forward.

RESOLVED –

- (i) That the application be deferred and delegated to the Chief Planning Officer for approval subject to the satisfactory resolution of the holding objection from the Environment Agency, completion of a Section 106 Agreement and the conditions specified in the submitted report (and any other conditions which the Chief Planning Officer may consider appropriate).

The Section 106 Agreement to secure the following obligations:

- Provision of 15% on site affordable housing;
 - Provision of bus stops;
 - Travel Plan and monitoring provisions;
 - Sustainable Travel Fund (£500.50 p/d);
 - Local employment and skills initiative;
 - Provision of POS (in accordance with CSSR G4);
 - Offsite highway works and junction improvements (£50,000 and £250,000 (prior to first occupation))
 - No commencement of dwellings prior to specified obligation trigger points in Section 106 of application (15/07655/OT);
 - Temporary school bus service;
 - Air quality damage limitation payment (if not mitigated by other sustainable transport measures);
 - Shuttlebus backstop payment / infrastructure; and
 - Any other obligations which arise as part of the application process.
- (ii) In the event of the Section 106 Agreement not having 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.

32 Date and Time of Next Meeting

To note that the next meeting will take place on Thursday, 8th August 2019 at 1.30pm in the Civic Hall, Leeds.

33 The Chief Planning Officer

The Chair announced that this would be the final meeting for Tim Hill, the Chief Planning Officer before he left the employ of the City Council.

The Chair thanked Tim for the work he'd overseen in recent years, commenting that he's been an excellent Chief Planning Officer and his services and contributions would be greatly missed.

Members joined the Chair in wishing Tim best wishes in his further endeavours.