

CITY PLANS PANEL

THURSDAY, 31ST OCTOBER, 2019

PRESENT: Councillor J McKenna in the Chair

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

A Members site visit was held in connection with the following applications:
Application No. 19/04828/FU – Variation of approved plans for planning permission 17/02666/FU for a residential development at Manor Road, Holbeck, Leeds 11, Application No. 19/04278/FU – Proposed student accommodation at Park Lane, Leeds 2 and Pre-application reference PREAPP/1800582 – Proposed residential development at Saxton Lane, Leeds 9 and was attended by the following Councillors: D Blackburn, C Campbell, C Gruen, P Gruen, G Latty and J McKenna and P Wadsworth

Chair's Opening Remarks

The Chair welcomed to the meeting second year students from Leeds Beckett University who were studying for a degree in Real Estate and Property Management.

The Chair also welcomed and introduced Seamus Corr, Principal Officer (Planning & Sustainable Development), City Development to his first Plans Panel meeting.

65 Appeals Against Refusal of Inspection of Documents

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

66 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.

67 Late Items

There were no late items identified.

68 Declarations of Disclosable Pecuniary Interests

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

69 Apologies for Absence

Apologies for absence were received from Councillor: E Nash

Councillor D Ragan was in attendance as a substitute Member for Councillor E Nash.

70 Minutes of the Previous Meeting

The minutes of the previous meeting held on 10th October 2019 were submitted for comment/ approval.

RESOLVED – That the minutes of the previous meeting held on 10th October 2019 be accepted as a true and correct record

71 Matters Arising from the Minutes

Application No. 19/01010/FU – Residential Development consisting of 349 apartments at land off Marsh Lane, Saxton Lane and Flax Place, Leeds 9 (Minute No.62 referred) – With reference to the previous meeting when it was noted that the Chief Planning Officer would liaise further with transport planning colleagues, and potentially the West Yorkshire Combined Authority (WYCA), to ascertain what stage had been reached in any ongoing discussions regarding the re-opening of the rail halt at the former Marsh Lane Railway Station. It was confirmed to Members that the Chief Planning Officer and Councillor McKenna had now sent a joint letter to Network Rail in this regard. A response was awaited.

72 Application No. 19/04828/FU - Variation of Condition No. 2 (approved plans) of approval 17/02666/FU for design alterations including an additional floor level to Land at 16 - 18 Manor Road, Holbeck, Leeds LS11 9AH

With reference to the meeting of 2nd November 2017 and the decision to grant planning permission subject to the conditions specified in the submitted report and following the completion of a Section 106 Agreement. The Chief Planning Officer now submitted a report which sought a variation of condition 2 (approved plans) of approval 17/02666/FU for design alterations including an additional floor level to land at 16-18 Manor Road, Holbeck, Leeds, LS11 9AH.

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 variation would include the addition of one floor consisting of 9 additional flats. The total number of flats would be increased to 110.
- The building height would be increased by 2925mm, taking the overall height from the approval of 29.950m to 32.875m (now comprising 11 storeys in height).
- Removal of opening shutters to windows.
- Addition of punched metal vertical screens to windows.
- Lowering of ground floor level.
- Amendments to entrance ramp.

In providing a verbal update the Planning Case officer reported that no adverse comments had been received in respect of wind conditions at the site in light of the amended proposals. The City Council's independent wind consultants were of the view that the updated scheme and report drew reasonable conclusions and any outstanding wind issues would be delegated to the Chief Planning Officer for approval following satisfactory negotiations with the applicant. In respect of the affordable housing provision, it was reported that would now be provided at 7%.

Members raised the following questions to officers:

- Would further contributions be made to the Section 106 Agreement following the inclusion of an additional floor
- If this was a new application the applicants would be asked for further contributions. The area around the development appears to be very sterile so could a contribution towards greenspace be provided
- Could an adaptable flat be provided on the new floor
- What works are proposed to undertake works on the footpath and ensure deliverability of connectivity routes previously proposed
- The provision of shutters was a welcome design feature, however, it was disappointing to note that shutters would now not be included in the final design

In responding to the issues raised, Planning Officers/ applicant representatives said:

- Members were informed that the proposed units on the additional floor were larger in size to reflect the new policy, but that there were restrictions in terms of the size of units that could be achieved throughout the development now due to mechanical design features above and below the 'new' floor that were already in place as part of the consented scheme and that a number of flats had been sold off-plan.
- The City Centre Team Leader said that contributions towards off site greenspace could not be sought because it was not within the policy, however, the walking network within the area was being enhanced together with some greenspace provision. Planning decision-making must be plan and policy-led, such that Members were strongly advised

against requesting an increased greenspace contribution, due to there being no policy-basis for this.

- The City Centre Team Leader said affordable housing had been provided. An adaptable flat could be pursued but the priority and focus in this instance has been to ensure that affordable housing provision had been secured.
- The Architect informed Members that detailed work and changes had been undertaken in the design to get as close as possible to provision of adaptable units. Further work could be undertaken with officers to deliver this if required.
- The Architect informed Members that the manufacturers of the shutter system had ceased trading. There was concern that future warranty and replacement / repair issues could therefore be problematic. This had led to the decision to alter the design and replace the proposed shutters with punched metal vertical screens.
- The path referenced was not within the red line of the application and was on council land. Necessary highway works would be secured by way of a Section 278 Agreement.
- The area around the development site was acknowledged as being a somewhat hard and sterile landscape. The applicant's team would work as far as possible to 'soften-up' the area in the landscaping work that is undertaken.

In offering comments Members raised the following issues:

- In general, Members were disappointed that the shutters had been removed from the design, but were generally supportive of the variation to the application and that the proposed screens would still give detail to the window apertures.
- Could the provision of an adaptive flat be pursued together with careful and sensitive landscaping provision on the development site

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

RESOLVED –

- (i) That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in appendix 1 of the submitted report (and any others which he might consider appropriate) and following the completion of a Deed of Variation to the original Section 106 Agreement.
- (ii) In the event of the Deed of Variation 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.

73 Application No. 19/04278/FU - Demolition of all existing buildings and structures and the erection of a series of inter-linked townhouse blocks

Draft minutes to be approved at the meeting
to be held on Thursday, 21st November, 2019

(3 - 6 storey's in Height) for student accommodation use (Sui generis), alongside landscaping, access and various associated highway and public realm works at Oak House, 94 Park Lane, Woodhouse, Leeds, LS3 1EL

The Chief Planning Officer submitted a report which set out details of an application which sought the demolition of all existing buildings and structures and the erection of a series of inter-linked townhouse blocks (3 - 6 storeys in height) for student accommodation use (Sui generis) alongside landscaping, access and various associated highway and public realm works at Oak House, 94 Park Lane, Woodhouse, Leeds, LS3 1EL.

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
- Listed Buildings in close proximity
- The proposed development is located on a sloping site
- The existing building and 2 storey car park on site would be demolished
- The proposal is to construct a building 3 and 6 storeys in height containing 188 student bed-spaces: 9 x studio flats and 179 cluster bedrooms.
- Communal space provided at ground floor level (200sqm)
- Small communal external courtyard space provided at first floor level
- Secured cycle and refuse storage area together with plant rooms all located at ground floor level.
- The building will be designed along a thin linear footprint set out along the inside bend of the road as it curves to the north.
- The scheme required the realignment of a part of the retaining wall at the rear which also requires the loss of one tree.
- Materials – red brick with different shades to accentuate the feel of separate townhouses and reflect the historic nature of the nearby Conservation Area.
- Proposed green wall

Members raised the following questions to officers:

- Would the green wall provide any benefits in its current proposed location as part of the development
- Why was there no further provision of greenery and greenspace proposed as part of the development, given the Climate Change Emergency and Council's 2020 carbon reduction target.
- What was the size of the bedroom for the cluster flats
- Hanover Avenue footpath was sub-standard, could the footpath be widened

- There was a proposal to remove greenspace, what was the size of this greenspace as a percentage (%)
- What does the concept of a metal roof entail

In responding to the issues raised, Planning Officers said:

- The Principal Officer (Planning & Sustainable Development) suggested that the green façade would offer visual benefits but the isolated location of the green wall here would mean it would have only a localised benefit in terms of air quality and cooling.
- The Planning Officer confirmed that there would be amenity value from the green wall via students using the nearby open space as a terrace and views of the green façade seen from certain surrounding area vantage points, including Hanover Square.
- Other proposed planting areas around the development site were confirmed, but with the restriction of the retaining wall and bank to the frontage creating some difficulties in terms of the space for wider planting and greenspace provision.
- The cluster flat bedrooms would have a size of 13 sqm and the studio rooms will be an average of 22 sqm. Cluster flats would also have shared living space ranging between 21-35 sqm. The provision was in accordance with the aims of Council Policy H9.
- The Transport Development Services Manager (City Development) confirmed that a 2-metre wide footway on Hanover Avenue had been considered but would not be deliverable. However, a build-out of the highway and safe crossing point on the opposing side to Hanover Avenue had been achieved as part of the proposal.
- The extension to the existing building floorspace involves an 'encroachment' of approximately 9-10m into the grass bank area. This also involved encroachment into the existing grass bank involving the creation of some hardstanding giving access to a new sub – station within the banked area. While this will lead to some net loss of greenspace, replacement planting was to be provided.
- Members were shown images of the proposed metal roof, which would ensure delivery of the grey roof required under the Neighbourhood Design Guide, but in a 'stylish' modern manner.

In offering comments Members raised the following issues:

- The majority of Members accepted the principle of student housing in this location
- In general, Members were disappointed with the building design suggesting the massing was over dominant, there was too much brickwork, the design had no redeeming features, aside from the Hanover Square elevation there was little sympathy for the surrounding existing buildings, the design should reflect that the development is in an area of transition between new build and city centre historic buildings, and overall there was a lack of impact

- Members expressed concern about the removal of greenspace and limited provision of replacement planting or 'softening' of the site
- One Member suggested that the green aspect should be incorporated within the building design
- There was concern around privacy issues for students occupying flats on the ground floor
- It was noted that the development was being supported by the local community
- One Member suggested that there was some concern about the number of student flats in the area and were students contributing to the local area
- Would other people be able to occupy, and would the demand exist for, the accommodation if it were not used for student housing and the demand for student housing itself had declined
- Attention needed to be given to ensure sufficient space for drop-offs and pick-ups, food deliveries, Uber and taxi waiting points etc.
- The submitted architect plans/drawings and CGI's were un-inspiring

The Chair thanked the developers for their attendance and presentation. He said Members were clearly not supportive of the application in its present form and that further discussions were required around design, massing, use of materials and the greenspace provision.

RESOLVED – That the application be deferred for further discussions with the applicant around design, massing, use of materials and the greenspace provision.

74 PREAPP/18/00582 - Pre Application Proposal for a major development relating to a build to rent residential development of up to 20 storey's in height with 204 apartments, landscaping, ground floor parking and associated works at land off Marsh Lane Saxton Lane and Foundry Street, Leeds, LS9 8HE

The Chief Planning Officer submitted a report which set out details of a pre-application proposal for a major development relating to a build to rent residential development of up to 20 storeys in height with 204 apartments, landscaping, ground floor parking and associated works at land off Marsh Lane, Saxton Lane and Foundry Street, Leeds, LS9 8HE.

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 proposal is for one building, 20 storeys in height, stepping down to 17 then 15 storeys
- Built to rent development with a total of 204 apartments: 110 x 1 beds, 82 x 2 beds, 11 x 3 beds and 1 x 4 beds

- All apartments achieve minimum space standards (CS Policy H9)
- Bike storage areas, maintenance workshop, plant and bin storage located at ground floor level
- Residential community space provided in 3 locations
- New improved access from Foundry Street
- A total of 11 car parking spaces were proposed (6%)
- 194 long-stay cycle parking spaces and 20 visitor cycle parking spaces would also be provided.
- The scheme would satisfy Core Strategy Policy EN1 (Climate change) and EN2 (Sustainable design and construction)
- Desk top wind assessment undertaken to demonstrate necessary wind mitigation measures
- Affordable housing 7%, commuted sum in lieu of on-site provision (CSSR Policy H5 (iii))

Members raised the following questions:

- The proposed car parking provision appears to be low (6%) what is the thinking behind this
- How would affordable housing provision be delivered and why has an off-site commuted sum been proposed
- Car parking was a problem in the surrounding area, were there any measures proposed to address parking in the area
- Was it envisaged to provide any pedestrian links with Saxton Gardens and surrounding residential areas
- Could more details be provided about the street level greenery and any wind mitigation proposals
- The building would be located at a busy road junction, were there any proposed noise mitigation measures and measures to ensure suitable air quality for future residents
- Would the applicant be willing to make a contribution towards public transport
- Why is there to be provision of only 1 x 4-bedroom unit
- There was a desire to provide a footbridge across Marsh Lane, would the applicants be willing to contribute to the scheme

In responding to the issues raised, the applicant's representatives said:

- The Architect suggested that evidence and experience at neighbouring developments has shown potential residents increasingly do not require a car parking space due to the sustainable location. The applicant wants to give more innovative transport solutions here, including the option for residents to use an electric Car Club facility if required
- If highway control measures are required to deal with overflow parking on surrounding streets, the applicant would be prepared to discuss with highways officers and consider appropriate mitigation measures

- The applicant informed Members that their preferred option was to provide a commuted sum in lieu of on-site affordable housing provision at 7% in accordance with CSSR Policy H5 (III)
- The Architect said service vehicles would be able to access the site via Foundry Street and a lay-by would be provided on Saxton Lane. It was suggested that such measures may assist in reducing on street parking in the area.
- The Architect explained that a green screen would cover the wind mitigation structures and would also soften the edges of the building, with further proposals for greenery to be developed as the design progresses
- The Architect confirmed a mechanical ventilation system would be incorporated within the building design to mitigate against traffic noise and ensure appropriate air quality.
- The applicant informed Members that there is a good provision of 3-bed units (24 no.) and a single 4-bed unit (1 no.), such that in excess of 12% of the units to be provided are 3- or 4-bed. This is in excess of the usual provision in city centre residential developments of this type.
- The applicant confirmed that a contribution towards public transport would be made if there was a need identified, this was policy compliant, and it satisfied the necessary statutory tests for such a contribution to be legally provided.
- The applicant confirmed that if identified as necessary, policy compliant, and it satisfied the necessary statutory tests, it may be possible to make a contribution to the footbridge across Marsh Lane, albeit any contribution over and above the Sustainable Travel Fund may cause viability concerns.

In offering comments Members raised the following issues:

- The majority of Members were supportive of the scheme, commenting it was good design and well thought through
- One Member suggested that the window and fenestration design appeared to be a little weak
- Members welcomed the fact that the scheme would achieve Core Strategy Policy EN1 (Climate Change) and EN2 (Sustainable design and construction), including with lessened reliance on cars being encouraged amongst residents
- A number of Members expressed the view that the affordable housing provision requires providing on site.
- One Member suggested that a revised policy on the provision of affordable housing needs to be brought forward

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

- Members were supportive of the proposed housing mix and welcomed the provision of additional 3 bedroom accommodation.

- Members were supportive of the emerging scale and form of the proposed building
- Members were generally supportive of the emerging elevational treatment to the proposed building.
- Members were of the view that the approach to car and cycle parking provision and servicing was acceptable, but noted that they would welcome a contribution being made to the footbridge across Marsh Lane.
- It was the wish of a number of Members that the affordable housing provision should be provided on-site.

Commenting on the issue of affordable housing, the City Centre Team Leader reminded Members that the Council had adopted the CSSR as recently as September 2019. Under the relevant CSSR policy, built to rent schemes were allowed flexibility in respect of affordable housing provision with options to provide a commuted sum in lieu of on-site provision (CSSR Policy H5 (iii) referred). No preference on the Council's part is expressed within this policy, such that which alternative is chosen in respect of affordable housing provision is left to the applicant to decide. Any revision of the CSSR policy would have to follow the appropriate statutory process and cannot be arbitrarily altered.

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

RESOLVED –

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

75 Date and Time of Next Meeting

RESOLVED - To note that the next meeting will take place on Thursday, 21st November 2019 at 1.30pm in the Civic Hall, Leeds.