

CITY PLANS PANEL

THURSDAY, 24TH OCTOBER, 2013

PRESENT: Councillor N Taggart in the Chair

Councillors D Blackburn, M Hamilton,
S Hamilton, G Latty, T Leadley, E Nash,
N Walshaw, M Ingham, J Lewis,
C Macniven, J McKenna and J Procter

83 Chair's opening remarks

Councillor Taggart welcomed everyone to the meeting and announced that following a recent hospital visit, he had been told that the operation he had undergone in the summer had been successful and that further treatment was not necessary. This news was met with a round of applause

The Chair referred to the additional site visit which had been made earlier in the day to view the College of Art site at Blenheim Walk in light of matters raised at the meeting on 17th October 2013 regarding the NGT and stated that one of the first items to be discussed would be issues arising out of the visit

The Chair also informed Members of the need for an additional City Plans Panel meeting in early December to consider the proposals for the East Leeds Extension. Several options were discussed, with the Chair favouring Tuesday 10th December. It was pointed out that there was an East Outer Area Committee on that day at 4.00pm, which involved several Members from the Panel. The Chair noted this and stated that every effort would be made to ensure the additional Plans Panel meeting ended before that time

84 Late Items

Although there were no formal late items, the Panel was in receipt of a late letter of representation on behalf of the applicants of the proposals for an Energy Recovery Waste Facility at Bridgwater Road. A copy of this letter had been circulated to Members in advance of the meeting (minute 94 refers)

A revised site visit letter had also been circulated which had included the additional visit to the College of Art

85 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests, however the following matters were brought to the attention of the Panel:

Councillor J Lewis and Councillor J Procter brought to the Panel's attention their membership of the West Yorkshire Integrated Transport Authority, in view of the discussions which would take place on the NGT proposals in respect of its impact on the College of Art. Both Members

advised that they would take no part in any discussions on this matter (minute 87 refers)

Councillor Ingham brought to the Panel's attention that the position statement on proposals for an Energy Recovery Facility at Bridgewater Road was sited in her ward (minute 94 refers)

Councillor Leadley brought to the Panel's attention that he was the Chair of the Morley Town Council Planning Committee which had objected to the proposals for an extension to the Cottingley Springs site, being considered as a position statement (minute 97 refers). On this same matter, Councillor Leadley also advised that he was the Chair of the Lee Fair Committee which ran the largest and oldest gypsy and traveller horse fair in the country

86 Apologies for Absence

Apologies for absence were received from Councillor J Cummins; Councillor P Gruen and Councillor R Procter. The Chair welcomed Councillor J McKenna; Councillor C Macniven and Councillor J Procter who were substituting for their respective colleagues

87 Site visit to the College of Art - Blenheim Walk

The Chair referred to the visit Members had made earlier in the day to the College of Art to view the site in order to better understand the NGT proposals which required an area of land from the College

Members had considered the proposed changes to the road junction which would affect the premises; had considered the extent of the proposed land take and the impact of the proposals on the side entrance of the College which operated as a fire exit

Members commented on the following matters:

- that the proposal to remove the trees and replace with a wall was not acceptable
- that the trees marked for removal could be retained
- that the loss of the pavement at the front entrance was not acceptable; that emergency access arrangements had to be preserved; that an adequate footpath width was required and that the proposals for the junction should be reconsidered
- that St Mark's Road was wide at the junction and whether this junction could be reconfigured to better accommodate the proposals
- that this issue had not been flagged up to Members in the workshops on the NGT

RESOLVED - To note the comments now made and that a progress report on this matter be submitted to the next City Plans Panel meeting

88 Minutes

RESOLVED - That the minutes of the City Plans Panel meetings held on 19th September 2013; 26th September 2013 at 1.15pm and 26th September 2013 at 1.30pm be approved

89 Application 13/02619/OT - Outline application for 3 office buildings, multi-storey car park and pavilion unit with ground floor food, drink and gym uses and public realm - Whitehall Riverside Whitehall Road LS1

Further to minute 126 of the City Plans Panel meeting held on 9th May 2013, where Panel received a pre-application presentation on proposals for a mixed-use development at Whitehall Riverside, Members considered the formal application

Plans, photographs, graphics and precedent images were displayed at the meeting

Officers presented the report

There was widespread support for the scheme which was considered to relate well with existing and proposed buildings at the site. Officers agreed to consult with Councillor Nash on the proposed tree species at Reserved Matters stage

RESOLVED - To defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any others which he might consider appropriate), and following the completion of a Section 106 Agreement to cover the following matters:

- Public transport contribution to be paid prior to occupation of each office building – maximum total sum £298,208 (index linked)
- Bus stop contribution £20,000 to be provided in second phase of off-site highways works (index linked)
- Car club spaces to be provided in the multi-storey car park from its opening to the public, and car club trial provision to be phased prior to occupation of each office building – maximum total sum £21,000 (index linked)
- Public access around the site to be provided prior to the occupation of each phase in accordance with the phasing plan
- Travel plan implementation and monitoring fee to be phased prior to occupation of each office building – maximum total sum £14,825 (index linked)
- Car park management plan to control short stay parking use of the car park including hours of opening, maximum stay and charging arrangements
- Employment and training opportunities for local people in City and Hunslet 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 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

90 Application 13/04059/RM - Reserved Matters application for two 6 storey buildings with basement car parking and landscaping at Wellington Place (buildings 5 and 6) - corner of Whitehall Road and Northern Street LS1

Draft minutes to be approved at the meeting
to be held on Thursday, 21st November, 2013

Plans, photographs and graphics were displayed at the meeting
Officers presented a report seeking approval for Reserved Matters for two buildings which would form part of the Wellington Place development

Members were informed that although outline consent had been granted for buildings up to 11 storeys, a reduced scale was being proposed at 7 storeys fronting Whitehall Road, sloping down to the north to 5/6 storeys. A smaller scale building was currently being constructed on plot no. 10, and it was felt that the reduction in scale related better to the historic lifting tower on the site

In terms of landscaping, high quality permanent landscape was being provided, with good quality temporary landscaping being provided until a time when that area came forward for development

The Design Team Leader stated that Members had played an important role in securing a series of elegant buildings for the site

Members were pleased with the Reserved Matters proposals, as presented

RESOLVED – To approve the application in principle and to defer and delegate the final decision to the Chief Planning Officer, subject to variation of the existing S106 agreement to bring forward payments and make an additional payment of up to £270,000 by the applicant to assist in the provision of the Whitehall Road/Northern Street junction improvements to provide pedestrian crossing facilities and to commit to submitting new reserved matters applications to reduce the height of the development across the whole site to accord with the current proposals

91 Application 13/03191/FU and 13/03192LI - Linear flood defences along the River Aire; removal of Knostrop Cut, Water Lane to Woodlesford and listed building application for alterations to listed buildings to provide flood defences along the River Aire, Water Lane to Woodlesford

Further to minute 125 of the City Plans Panel held on 9th May 2013, where Panel considered a pre-application presentation on proposals for flood defences along the River Aire, to consider the formal applications

Plans, photographs, drawings and graphics were displayed at the meeting. A Members site visit had taken place on 22nd October 2013, which had included a river trip to enable Panel to better understand the proposals

Officers presented the report and outlined the location of the defences and the different types proposed

Regarding Knostrop Cut, Members were informed that 600m of this would be removed, with the spoil being reused. The Trans Pennine Trail would also require relocating at this point and that discussions on this would continue with all parties

A late representation from the Canal and Rivers Trust was reported but it was stated that this raised no new issues. A late representation from the owners of the site to the north of Hol Beck was also reported seeking further details about the necessary access works to the raised footbridge locations and for this to be agreed with the Highways Authority. The Deputy Area Planning Manager advised that initial design work had shown that disabled access ramps could be accommodated within Water Lane to provide access

to the footbridge connections without preventing two-way traffic movements along Water Lane. Further dialogue would continue with the adjacent land owner and the Highways Authority on this matter. However the footbridge connections and associated highway works would be delivered with the adjacent development proposals and not by the Flood Alleviation Scheme

Members commented on the following matters:

- the need to involve Ward Members in discussions on the relocation of the Transpennine Trail and on any further amendments to the scheme as presented
- whether the proposals would affect the current route of the Transpennine Trail under Aberford Road
- complaints by local residents of noise from the new weirs which have been installed
- whether by removing part of Knostrop Cut, this could affect the navigation of the river
- the durability of the glass panels being proposed in the city centre and the maintenance of them
- whether dredging could take place to increase river capacity
- the usefulness of the boat trip and the need to consult with boat users on any future proposals, in view of their local knowledge and expertise
- the spoil from Knostrop Cut; the possibility of removing this by boat and that it could be used for grass banking at Woodlesford
- the impact of the scheme on flooding further down towards the Kippax and Methley Ward and beyond, to Castleford
- the length of time taken for a scheme to come forward and that the applicants should be congratulated on designing a scheme which minimised the impact of the defences on properties
- the wall adjacent to Hol Beck and whether some of the history and heritage could be reflected in the design of this
- the need for an adequate maintenance regime to ensure that Hol Beck did not become clogged with litter

The following responses were provided

- that Ward Members would be consulted on the relocation of part of the Transpennine Trail as options developed and in the event that further amendments were proposed to the scheme as set out before Panel
- that the FAS would not affect the Transpennine Trail route under Aberford Road
- that the river would remain navigable after the removal of a section of Knostrop Cut
- that the glass panels to be used in the scheme were designed for public open space and were resistant to vandals. In terms of after care, a budget for repair and maintenance was included in the scheme
- that dredging was considered as an options but it had been undertaken in the recent past and was likely to provide more limited benefit than removing part of Knostrop Cut. Without removing Knostrop Cut there would be a need for 2.5m high

walls/barriers at Turlow Court to achieve the same level of flood defence

- that materials, including the stone would be reused where possible, especially on the Transpennine Trail relocation and that the spoil would be removed by boat
- that modelling of the scheme had been undertaken down to Castleford, with a 10cm difference in the before and after river level at Woodlesford, with the difference not being measureable at Allerton Bywater, Methley or Castleford
- that litter was a problem and that the Council and voluntary groups could help with this

In summing up the debate, the Chair echoed previous comments that the scheme as presented was a great improvement on previous proposals and congratulated all those involved

RESOLVED -

Application 13/03191/FU

To approve in principle and to defer and delegate approval to the Chief Planning Officer to allow the expiry of the additional consultation period and to address any issues that may arise during that period and subject to any conditions deemed necessary

Application 13/03192/LI

To approve in principle and to defer and delegate approval to the Chief Planning Officer to allow the expiry of the additional consultation period and to address any issues that may arise during that period, subject to any conditions deemed necessary and to allow the application to be referred to the Secretary of State for the Department of Communities and Local Government

92 Application 13/03499/LA - Full application for use of vacant site as new park and ride facility - Car Park D Elland Road LS11

Plans and photographs were displayed at the meeting

Officers presented the report which sought approval for a park and ride facility on land at D car park, Elland Road, with the Council being the applicant

Members were informed that the site was currently used for match day parking only and that the proposals were for a park and ride site comprising approximately 424 car parking spaces to be formally laid out, which would include some disabled parking spaces. An overspill area would also be made good for over 300 spaces. Bus shelters, ticket machines and portacabins for staff would also be provided

A bus service of 15 minute frequency would operate which would run into the City Centre via Elland Road to Boar Lane and would return via the M621

The park and ride facility would operate Monday – Saturday, although the facility would not operate on Saturdays when there was a home match

Concerns about the impact of the proposals had been received from Ward Members and local residents

Officers considered that the scheme would not increase the amount of traffic and would result in traffic being diverted from the local residential areas.

In terms of air pollution, it was acknowledged there was an existing problem in the area but by removing traffic from hotspots, this could improve the levels of air pollution

The receipt of a representation from Eurocabs Hackney Carriage Association was reported, which included a request for taxi provision in the scheme. Members were informed that whilst this could be accommodated it would not be in the spirit of the proposals but that if it was to be included, further consultation and a fresh planning application would be required

Members discussed the application and commented on the following matters:

- the special buses which operated to take fans from the City Centre to Elland Road and whether these would use the proposed facilities
- the proximity of Elland Road to the City Centre, in view of most park and ride sites being located a significant distance from a town or city centre
- the proposed frequency of the park and ride buses in view of the existing bus services which ran along Elland Road at a frequency of approximately 6 minutes at peak time
- the number of stops en route into the City Centre
- the extent of the survey work which had been undertaken to consider suitable sites
- whether there would be provision for cyclists
- the impact of the proposals on the popular Valentine Fair and the loss of some land to a recently approved application for an Ice Rink
- concerns about the speed in drawing up the proposals to secure the facility and the lack of important detail such as the quality of the landscaping to be provided and how people would be attracted to use the park and ride
- the use of portacabins and that if the site did become a permanent park and ride that portacabins would not be appropriate
- that the proposals would take cars off the M621 and divert them to the Ring Road with concerns that a greater level of congestion would result
- that a substantial landscaping plan was required, rather than a green fringe which was indicated on the plans
- the need for a further report to be presented to Panel on the situation regarding the number of illegal car parks on the fringe of the City Centre

The following responses were provided:

- that the existing bus provision in the area would not change
- that the distance of the site to the City Centre was similar to a park and ride site in York and that although sites further out had been examined, the Elland Road site fit the criteria as it was a brownfield site; was in Council ownership and could be implemented quickly

- that the intention was for the park and ride facility to stand alone, rather than utilise existing bus services which were also located outside the site
- that three stops would be provided into the City Centre so the journey would be fast
- that a large traffic model had been created to ascertain the destinations of drivers on three main routes
- that some cycle storage would be provided
- that the Valentine Fair could still be accommodated and would be sited on Council owned land to the rear of the site

The Chief Planning Officer referred to the smaller site which was confirmed could be a development plot. In view of this, the Chief Planning Officer suggested that as this was a strategic location there should be a distinction drawn in any planning permission between the permanent facility and the temporary element, with a condition to time limit the temporary use to a maximum of 5 years, although this could be varied if no development proposals for that part of the site had come forward

In summing up the debate, the Chair referred to the problems of car parking in the City Centre; that the facility would reduce the number of car journeys; lead to improved levels of air pollution and considered that the proposals would not increase traffic queues at the M621 or the Ring Road

The Panel considered how to proceed

RESOLVED - That the application be approved, subject to the conditions set out in the submitted report and further conditions which distinguished between the permanent and temporary facility and which time limited the temporary element to the use for park and ride facilities for a maximum of 5 years, with the possibility of varying this in the event no development proposals had come forward for the land

93 Position report on Waste Management Proposals in the Aire Valley Leeds

Further to minute 22 of the City Plans Panel meeting held on 4th July 2013, where as part of a pre-application presentation on proposals for an anaerobic digestion plant, Members requested a report providing information on existing, consented and proposed waste management facilities in the Aire Valley Leeds, the Panel considered a report of the Chief Planning Officer

A site plan showing the various energy from waste sites and their status was displayed

The Minerals, Waste and Contaminated Land Manager presented the report and in response to questions from the Panel provided details on the sites; the different types of waste being dealt with and the recycling processes involved

Members commented on the following matters:

- capacity; the amount of waste catered for in the two schemes which were approved earlier in the year and the capacity of waste in Leeds
- opportunities to tie in the energy generated from waste facilities to other uses, including the NGT

- concerns at the number of different facilities and proposed schemes. That the waste industry in Leeds was growing disproportionately when compared to other towns and cities and the possibility of waste from other areas being brought into Leeds to dispose of
- the proximity of waste facilities into an area which was envisaged would contain a level of residential accommodation
- concerns that the consent for an Energy From Waste facility at Skelton Grange had not yet been implemented
- concerns that if there was not sufficient waste to process, that privately owned landfill sites could be mined, with detrimental impacts on local communities
- that existing landfill sites in Leeds would soon be full and that as an option, anaerobic digestion was an effective method of treating organic waste

The Minerals, Waste and Contaminated Land Manager responded to the points raised and provided the following information:

- that the site at Pontefract Lane (Veolia) would take municipal waste and commercial and industrial waste, with a capacity of 214,000 tonnes. The site at Skelton Grange (Biffa) would take commercial and industrial waste, with a capacity of 300,000 tonnes. As neither of these facilities were operational at this time, there was zero capacity at present for alternatives to landfilling waste in the City
- that granting planning permission for the Biffa site at Skelton Grange only, would not have been sufficient to cater for all of the municipal waste together with commercial and industrial waste in Leeds
- that Leeds produced 40% of the waste generated in West Yorkshire
- that when considering the issue of not accepting waste generated beyond Leeds, it had to be recognised that some waste generated in the City was sent away for processing elsewhere as because of the nature of the waste, there were not the appropriate facilities in Leeds to properly dispose of it
- that there was the possibility of former private tips being mined for waste at some point in the future

RESOLVED - To note the report and the information provided

94 Application 13/02190/FU - Position statement on proposals for erection and installation of an Energy Recovery Facility (using autoclave and pyrolysis and an Anaerobic Digestion Facility, integrated education/visitor centre, provision of rail freight handling infrastructure and new industrial link road access to site via Knowsthorpe Gate, parking and landscaping - Land at Bridgewater Road Cross Green

Having noted that Councillor Ingham had commented on the proposals, for clarification, the Panel's Legal Adviser advised that provided Councillor Ingham had not made up her mind on the proposals and was prepared to

consider all the information before the Panel, then her earlier support did not prevent her from taking part in the decision

Councillor Ingham advised that she had not made up her mind in respect of the proposals being considered

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

Members considered a report of the Chief Planning Officer on the current position in relation to an application for an Energy Recovery Facility at Bridgewater Road, Cross Green. A late written representation on behalf of the applicants had been circulated to Panel Members prior to the meeting. Members were advised that no pre-application presentation had been made to Panel on the proposals

Officers outlined the proposals which were for a waste management facility capable of treating up to 195,000 tonnes of waste per annum, together with associated infrastructure, highways, rail freight handling infrastructure, visitor centre, car parking and landscaping. Members were informed that the site was not safeguarded or allocated for waste purposes in the Natural Resources and Waste Local Plan

The waste process was explained to Panel with Members being informed that Officers did not question the benefits of the proposals but that with the exception of the road link, the proposals were not tied to this site with Officers of the view that the scheme could be delivered on two other sites

Members were also informed that Officers considered that the proposals were not sufficiently robust; that the proposals needed to be considered in the context of the wider area and in the context of the aspirations for Aire Valley Leeds. The development of the wider site would also necessitate the relocation of the existing asphalt plant currently located to the north

The Panel's Legal Adviser advised of a legal issue in respect of matters relating to this application and referred to the Minerals and Waste Local Plan, which showed an allocation of the site for rail use. As the minerals policies 13 and 14 in the Local Plan - which dealt with minerals transport – had been successfully challenged in the High Court, these two policies had to be remitted back to the Planning Inspectorate for re-examination and until they were, they must be treated as not forming part of the Adopted Plan

The Chief Planning Officer referred to the emerging plan for Aire Valley Leeds, which sought to amalgamate land at Yarn Street and the former Copperfields College site over the river, for housing use, with concerns being raised about the adequacy of the screening proposed

The promotion of tourism along this area, down to St Aidan's was also a factor and that consideration had to be given to building heights, chimneys and loss of vegetation

Members were referred to the section of the submitted report which set out the adopted policy on waste proposals at other locations

The Panel considered how to proceed

In response to the specific points raised in the report Members provided the following comments:

- that Members agree that the proposed development could be better sited on an allocated waste management site elsewhere in Leeds
- that Members agree that the principle of development is contrary to UDPR policy H3(H3 – A1:A45), and the draft AAP's emerging policies
- that the general approach to access issues was good, particularly the proposal to go under the railway, but that further information would be required
- that further information from the applicants and assurances to confirm that the emissions from the installation would be acceptable, as recommended by Public Health England would be required
- that the loss of vegetation was not acceptable and that there was insufficient detail in the landscaping proposals
- that the current design and layout were not acceptable in the context of the Aire Valley river corridor and in relation to the existing and proposed surrounding land uses
- that the facility would be too close to the proposed new houses
- that additional information on the flood risk issue and the consequences for use of the proposed link road would be required
- to agree with advice that intrusive site investigation would be required to determine coal mining legacy issues and that, if viable, Members would wish to see the removal of surface coal from the site

In summing up the comments made the Chair stated that Panel was not minded to approve the proposals on this site, however the technology proposed was impressive and that such a facility would be encouraged in a designated location. The Chief Planning Officer stated that he would be willing to work with the applicants on this

RESOLVED – To note the report, the Panel's comments on the specific issues raised in the report and the view that Panel was not minded to approve the proposals on the site

95 Application 13/03051/OT - Position statement - Outline application for residential development of up to 400 dwellings, access and associated works including open space and landscaping - Land at Spofforth Hill, Wetherby

Further to minute 109 of the City Plans Panel held on 11th April 2013, where Panel received a pre-application presentation on proposals for a residential development on a Protected Area of Search (PAS) site at Spofforth Hill, Wetherby, the Panel considered a report of the Chief Planning Officer setting out the current position in respect of these proposals

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and made reference to policy N35 of the UDPR, which had not been included in the report

Members were informed that comments on the proposals were awaited from Natural England

At the meeting in April 2013, Members had discussed the options for the access arrangements, with Members of the view that the best option was for a roundabout to be sited on land which was within the Harrogate boundary. Harrogate Council had been approached but had indicated they would not support a roundabout at the proposed location

Loss of trees had also been a subject of discussion at the April meeting, and arising from this, the number of trees to be removed had now reduced. 16 trees would now need to be removed, although some others could be affected, with discussions continuing on this

A single access point was proposed for the development. Whilst for this number of houses two access points were usual, it would be difficult to accommodate a further access point without removing trees. Highways had indicated that the proposed access could be supported

In relation to the provision of affordable housing, the developer had indicated that 35% affordable housing would be provided, although this was proposed to be split between 15% on-site provision and 20% off-site provision

Members sought further information on:

- the negotiations with Officers in Harrogate Council and North Yorkshire County Council (NYCC) about the siting of a roundabout on land in the Harrogate boundary
- the policy setting out the number of dwellings off a single access

Panel was informed that the issue had been raised with NYCC as part of discussions on proposals at Thorp Arch. NYCC had raised concerns about the proposal. Harrogate Council had also objected. Concerns were expressed about how this had been dealt with, particularly in view of Members' comments at the Plans Panel on 11th April 2013

In terms of the number of dwellings off a single access, the Transport Development Services Manager advised that the Street Design Guide was an adopted SPD and suggested that for 200-300 dwellings then more than 1 access should be considered. Whilst this would be the preferred position and that the proposals would be better with a second access point, in this case it was not practical. The design of the internal road, as a loop, was considered to mitigate against any blockages

Members commented on the following matters:

- that at 400 dwellings, the proposals were double the minimum number of dwellings where a second access point should be considered and that the obvious solution would be to build less houses
- that a reduced number of dwellings should be considered by the applicant
- the high level of vehicle ownership in this area with concerns at the impact of the proposed scale of development on the road network, particularly the level of traffic which could go either through the adjacent housing estate or through Linton
- concerns about safety and accessibility for emergency service vehicles
- concerns about the loss of trees; that some of the existing trees required urgent attention and that the Chief Planning Officer should refer this maintenance issue to Leisure Services to address

- that discussions should take place at the highest level with Officers from Leeds, Harrogate and North Yorkshire Councils, together with the applicant on the issue of a second access
- the wording of the criteria relating to the release of PAS sites
- that the proposals had divided opinion locally; that mini roundabouts were needed to help the traffic flow around Wetherby; that as an allocated site it was recognised that some development was likely but that what was being proposed was not acceptable

The Head of Planning Services stated that this was not the only PAS site under consideration for development and that if a certain number of properties were allowed off a single access point, similar proposals would be brought forward by other developers and that the highways and safety aspects in this case had to be considered carefully

The Chief Planning Officer stated that discussions should take place with Harrogate on the access issue

In response to the specific issues raised in the report, Members provided the following comments:

- that up to 400 houses on this site was too many
- in relation to a 15% affordable housing provision on-site and 20% off-site provision, to note there were mixed views. Concerns were raised that the level of need for affordable housing in Wetherby had not been quantified and that this information was needed. The need for family houses in Leeds was also highlighted. Further discussion on this matter took place with Panel agreeing to the principle of a split between on-site and off-site provision but without any specific percentage being proposed at this stage until information on local need had been provided
- on the principle of whether a 20% off-site contribution (in accordance with the Council's standard formula) sufficiently met criteria vii of the interim PAS policy, that further work needed to be undertaken on this, as stated above, before Members could give a view. Further discussion took place as to the wording of the interim PAS policy and clarification was provided as to the different tests relating to sites up to 10 ha and those over that threshold
- that Members were not supportive of the principle of a new roundabout at Spofforth Hill/Wentworth Gate to provide access to the proposed development; that there were concerns about the safety aspect of this; the impact on trees and that a better solution would be a roundabout further along the road on land within the boundary of Harrogate Council
- that Members were unhappy about the access and tree loss
- that Members were supportive of the principle of a 20m buffer to the open countryside plus additional landscape buffer to the existing residential properties

- that there was not support for the general principle identified on the indicative layout due to the excessive number of houses to be served off one access
- that regarding the proposed Heads of Terms, it was not possible at this stage to take a view on this matter

RESOLVED - To note the report, Members' comments and the requirement for discussions between Leeds, Harrogate and North Yorkshire Council, at the highest level, together with the applicant, to discuss the issue of the location of a roundabout to serve the development and that a further report on the application be submitted in due course

96 Applications 13/03196/FU and 13/03202/OT - Residential development comprising 104 dwellings with associated car parking and garages, formation of new access, public open space, landscaping and parking facilities and outline planning application for residential development and means of access - Land off Grove Road Boston Spa Wetherby - Position Statement

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

Members considered a report of the Chief Planning Officer setting out the current position on two applications, one in outline, one for full planning permission, for a residential development at Grove Road Boston Spa

Officers presented the report and advised that the land was a Protected Area of Search (PAS) site; was located in the Green Belt and was adjacent to a Conservation Area

The proposed outline application sought to establish the principle of development. The detailed application provided a means of access off Grove Road; the proposed dwellings would be generally two storeys in height and comprise mainly detached dwellings. Officers considered that the proposed layout was overly intense. The application included 20 car parking spaces for the adjacent hospice

The proposed materials would be artificial stone, some natural stone and render. Officers had concerns about the extent of the artificial stone to be used on the scheme

The site was 3.9ha in area and Officers were not aware that the land was needed for other uses. However in terms of location, it was considered that Boston Spa was not well related to major urban areas. Members were informed therefore that the application failed on criteria 1 of the Council's interim policy on the release of PAS land for housing development

Members were also informed that other housing land development opportunities were available in Boston Spa; that there were highways issues associated with the proposals; the site was some distance from local facilities and public transport was poor. The development therefore would be heavily reliant on car use. In terms of the transport assessment which had been submitted, Officers had concerns about this and whilst the applicant had submitted recent revisions, concerns remained about the internal road layout and parking facilities

In terms of the layout of the development, some properties were too close to each other; the greenspace was considered not to be located in a

usable or meaningful area and that a central location for this would be preferred. There were also concerns about the impact of the development on existing trees, particularly damage to roots and that increased planting was needed around the site

Regarding the impact of the proposals on living conditions, Officers were satisfied that the proposals would not impact on the amenity of residents in neighbouring properties but there were concerns about the living conditions of future residents of the development

In respect of the S106 Agreement, Members were informed that this had not been taken forward in view of the major concerns which existed with the proposals

Members considered how to proceed. In view of the number of problems associated with the applications, Members were minded to refuse the application, but were asked to consider whether they wished for further negotiations to be undertaken

In response to the specific points raised in the report, Members provided the following comments:

- that the site was not in compliance with the interim PAS Policy
- to note the comments of Highways Officers and Metro, as set out in the submitted report and that the means of access was of insufficient width
- that there were too many properties proposed for the site
- that the use of artificial stone was excessive
- that the extent and location of the public open space was not good enough
- that the proposals would have an adverse impact on existing trees
- that Members had concerns over the impact on adjacent residents, including the children's hospice, as well as the quality of environment for future residents

The Chair stated that a steer should be given that as presented, the application would be refused

The Chief Planning Officer sought further guidance on Panel's view about the suitability of the site at this time, with Members considering that it did not meet the policy test for the release of the site for development

The issue of whether to delegate the refusal to the Chief Planning Officer was discussed, with Members satisfied that this could be dealt with in this way

RESOLVED – Initially, to delegate refusal of the applications to the Chief Planning Officer as the site failed the criteria set out in the interim PAS Policy and that there were also concerns which included layout; materials; highways and impact on living conditions of residents and impact on trees

Having taken advice on this course of action, it was felt that delegating refusal of the application had denied the applicant an opportunity to address the Panel. Having considered this, it was

RESOLVED - That the Chief Planning Officer be asked to submit a further report to the next meeting setting out possible reasons for refusal of the application, based on the concerns raised, for determination by the Panel

During consideration of this matter Councillor J Lewis left the meeting

97 Application 13/03998/FU - Position statement - Laying out of traveller site, comprising 12 pitches, ancillary buildings, parking and landscaping - Land off West Side of Cottingley Springs, Gildersome Morley

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

The Head of Planning Services presented the report which set out the current position on proposals to extend the travellers site at Cottingley Springs, Gildersome

Members were informed that the site was situated in the Green Belt and that 12 pitches were proposed together with an amenity block and play areas

Since the report had been written further objections to the application had been received with the total number currently being 670 standard letters of objection; 40 individual letters and a petition

A recent meeting with the Environment Agency on site had taken place where evidence of flooding had been provided. This evidence was now being assessed and comments from the Environment Agency were awaited

If the site did flood, it could mean that the plots closest to the beck would be affected and that three plots could potentially be lost from the site. An assessment would also need to be undertaken regarding possible compensatory flood storage further down from the site and that this was particularly important in relation to Farnley Wood Beck

An extensive site search to accommodate further pitches had been undertaken and that there was an immediate need for such accommodation in the City, with Executive Board having concluded that a further extension of the Cottingley Springs site should be considered

As a Green Belt site, Members were informed that by definition the proposal was inappropriate development however alongside that, the need for facilities for travellers and the flooding issues which had emerged would need to be considered. A recent appeal case in Warwick which had been dismissed by the Secretary of State had been reported with reference being made to the balance between the development and its impact on the Green Belt

Members commented on the following matters:

- that at the Local Development Framework hearing the Inspector had been unhappy with the policy on traveller sites and had requested revisions to be made
- whether adjacent residents to the site had been offered compensation by the Council. The Chief Planning Officer advised that he was not aware of compensation being offered
- the nature of the evidence of flooding. The Head of Planning Services stated that video evidence had been provided which showed an extent of standing water on the site and the beck with raised water levels
- that wherever sites are located, there would be local concerns; that the proposed extension would not deal with the wider issues

of demand and that smaller sites across the city could be a better way of dealing with this issue

- possible increased flooding with concerns that Farnley Beck flooded easily and caused widespread problems and that housing development should not be allowed on land which flooded
- the possibility of waiting for the Inspector's view on the Council's policy before considering the proposals
- the extent of the changes which would be made to the site and the difficulty of reaching a decision in view of that
- that previous problems had occurred between traveller families on this site which had to be reduced in size to resolve some of the issues
- the need to focus on the planning issues of the case

The Head of Planning Services stated that further information was needed on the application; that it was not clear whether any decision on the proposals would need to be referred to the Secretary of State and that ultimately the decision on the application might not rest with the Local Planning Authority

RESOLVED - To note the report, the information provided and the comments now made

98 Date and Time of Next Meeting

Thursday 21st November 2013 at 1.30pm in the Civic Hall, Leeds