

CITY PLANS PANEL

THURSDAY, 20TH NOVEMBER, 2014

PRESENT: Councillor J McKenna in the Chair

Councillors P Gruen, R Procter,
S Hamilton, G Latty, T Leadley,
N Walshaw, M Ingham, J Lewis,
C Campbell, C Gruen and C Towler

77 Chair's opening remarks

The Chair welcomed everyone to the meeting, particularly a journalism student who was recording the meeting as part of her course and representatives from the local media who had expressed an interest in recording the discussions on the Bridgewater Place application. Members and Officers were then asked by the Chair to introduce themselves

78 Late Items

Although there were no formal late items, the Panel was in receipt of a supplementary report on drainage issues in respect of application 13/04148/OT – outline application for development of circa 200 dwellings – land rear of Moseley Wood Gardens LS16 (minute 83 refers). The report had been circulated prior to the meeting and had been published on the Council's website

79 Declarations of Disclosable Pecuniary Interests

Councillor J McKenna brought to the Panel's attention in respect of the Planning Development Brief for the existing shops at George Street, that he would be vacating the chair by choice for this item as he was a member of Board which was proposing the scheme (minute 88 refers)

Councillor Towler brought to the Panel's attention in respect of the applications at Moseley Wood Gardens/Cookridge Drive, that a close family member lived on Moseley Wood Gardens (minutes 83 and 84 refer)

80 Apologies for Absence

Apologies for absence had been received from Councillor Nash, who was substituted for by Councillor Towler. The Chair informed the meeting that Councillor Nash had suffered an accident recently and had undergone an operation. The Panel wished her well in her recovery

Apologies for absence had also been received from Councillor Blackburn and from Councillor Finnigan who was to have substituted for him

81 Minutes

RESOLVED - That the minutes of the City Plans Panel meeting held on 30th October 2014 be approved

82 Core Strategy

The Chief Planning Officer stated that the Core Strategy and Community Infrastructure Levy (CIL) had been approved by Council on 12th November 2014. In view of this, where reports before this Panel referred to 'draft' Core Strategy, this should now read 'approved' Core Strategy, as this was now the statutory Development Plan for Leeds together with the saved UDP Policies. The Chair welcomed the adoption of the Core Strategy stating that Leeds was one of the first cities to have one

83 Application 13/04148/OT - Outline application for development of circa 200 dwellings, including access from Moseley Wood Rise - land rear of Moseley Wood Gardens Cookridge LS16

Prior to consideration of this matter, Councillor Towler withdrew from the meeting

Further to minute 176 of the City Plans Panel meeting held on 10th April 2014, where Panel considered a position statement on proposals for an outline application for the residential development of circa 200 dwellings and associated landscaping, the Panel considered the formal application. A supplementary report which contained further information on the issue of drainage and addressed concerns raised about the application by the local MP, was also considered

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

Officers presented the report and outlined the application, which was for outline permission for a residential development on a site designated as a Protected Area of Search (PAS) site, with all matters reserved except for the access

The application was being recommended for refusal, with proposed reasons for refusal being included in the report before Panel

Technical Officers were in attendance and provided further information on the soil conditions, drainage and flooding issues. In terms of drainage, the applicant had recently provided additional information, sought by the Council, and that the proposals were felt, by Officers, to provide a satisfactory means of drainage and could help with the existing drainage problems experienced on the adjacent development

Seven additional representations were reported, including one from Greg Mulholland MP, although these raised no new issues. Comments on the revised drainage proposals were awaited from Yorkshire Water; the Environment Agency had indicated they had no further comments and Network Rail had requested a condition in respect of monitoring the drainage works on their structure

Although Officers were of the view that the site could be developed if it could be drained, with Members accepting this in principle at the City Plans Panel meeting held on 10th April 2014, the application was being recommended for refusal on the basis of the quantum of development; the impact on the residents of Moseley Wood Rise and that a secondary access was not proposed

Members were informed that a smaller development on the site would be brought to the December Panel for consideration

Members discussed the application and commented on the following matters:

- drainage; the elaborate proposals for the site; the importance of differentiating between flooding and waterlogging and the maintenance of drains across the development
- the S106 agreement; whether there was any indication the requirements would not be met and that the absence of a signed S106 Agreement as a reason for refusal could be considered to be spurious
- whether any development of the site could be accepted
- sustainability issues, particularly the lack of school places and health facilities; that this was an issue citywide and was not being addressed in the proposals being presented to Plans Panels. The Chief Planning Officer acknowledged the points being made and accepted that on this site, the issue of sustainability was a balanced one and took into account several factors. However in relation to education issues, Children's Services had been consulted on the proposals and had sought contributions towards education provision, therefore a reason for refusal on this ground could not be substantiated
- the fact that the site did not meet the sustainability criteria
- ecology issues. Members were informed there were no ecology issues associated with the site

The Panel considered how to proceed. On the issue of sustainability a discussion took place, with initially, a suggestion being made to amend the third reason for refusal to include sustainability. A fourth reason for refusal on the grounds that the site was unsustainable was proposed and seconded but did not have majority support

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

1 The indicative masterplan relies on one point of vehicular access into and out of the site, this is poor urban design and fails to take the opportunities available to maximize the connections to and from the site to spread the impact of traffic, create connected streets and integrate fully a new development within an existing community to the detriment of sustainable

development. This is contrary to policy P10 of the Core Strategy and the guidance contained within the Neighbourhoods for Living SPG

2 The proposed principal means of access to and from the site would result in significant traffic movements (both vehicular and pedestrian) going past properties of the residents of Moseley Wood Rise which would result in harm to the living conditions of the residents on Moseley Wood Rise contrary to policy P10 criteria (i) and (iii) of the Core Strategy and the guidance in the Neighbourhoods for Living SPG which seeks to maximise connections to spread the impacts of traffic rather than concentrating it

3 In the absence of a completed Section 106 Agreement to provide for affordable housing, public open space, education, off site highways works, public transport and travel planning matters, the development is contrary to policies ID22 of the approved Core Strategy and Supplementary Planning Documents Travel Plan, Public Transport Development Contributions and Supplementary Planning Guidance's 4 and 11 relating to Green Space and Education

84 Application 14/00190/FU - Lay out of new access road from Cookridge Drive - Land off Cookridge Drive Cookridge LS16

Further to minute 176 of the City Plans Panel meeting held on 10th April 2014, where Panel considered a position statement on proposals for an outline application for a major residential development and associated access, Members considered a further report of the Chief Planning Officer on the formal application on an access road from Cookridge Drive LS16

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

Officers presented the report and outlined the application which was being recommended for refusal, with suggested reasons set out in the report before Panel

Members were informed that the further representations received as outlined on the previous application – 13/04018/OT – applied also to this application (minute SS refers)

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

1 The proposed access road would constitute inappropriate development within the Green Belt. The proposed access road would not preserve the openness of the Green Belt. The evidence submitted to demonstrate a requirement for local transport infrastructure in the Green Belt was not considered to represent very special circumstances to justify this inappropriate development. The access road was therefore contrary to saved Policy N33 of the adopted Leeds UDP and guidance contained at paragraphs 87,88 and 90 of the National Planning Policy Framework

2 The proposed access road by virtue of its scale and urbanising impact combined with its loss of protected and important trees would be

significantly detrimental to the visual amenity and character of this Green Belt location. As such the proposal was contrary to saved Policy GP5 and N33 of the adopted Leeds UDP and the guidance contained at paragraph 90 of the NPPF

3 The proposed access road will result in the permanent loss of an area of woodland which is a locally valuable nature conservation resource and UK Biodiversity Action Plan Priority Habitat and (without any agreed compensatory habitat creation) is contrary to Core Strategy Policy G8 and NPPF paragraphs 109 and 118

Following consideration of these applications, Councillor Towler resumed her seat in the meeting

85 Application 14/04554/FU - Proposed wind mitigation scheme at Bridgewater Place Water Lane Holbeck LS11

The Head of Planning Services, Mr Sellens, joined the meeting at this point

Further to minute 137 of the City Plans Panel meeting held on 16th January 2014, where Panel received a pre-application presentation on proposals for a wind mitigation scheme at Bridgewater Place, the Panel considered a further report of the Chief Planning Officer setting out the formal application

Plans, photographs, drawings and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day and Members had viewed a model of the proposals on site

The Deputy Area Planning Manager – Central Area Team - presented the report

The background to the application was outlined

Members were informed that over 30 wind mitigation schemes had been tested, with the one being presented to Members being the most effective, given the physical constraints of the site. This would comprise 3 baffles over Water Lane, a canopy attached to the north side of the building – supported by 10 columns and a combination of vertical screens and a canopy on the west side, together with a screen adjacent to The Grove Public House

The wind baffles would be porous and be of a natural mill finish of marine grade aluminium, rather than painted to keep future maintenance to a minimum. The baffles would be located at least 6m above ground level and be supported by columns. The width of the baffles would be 20m wide for two of the baffles with the remaining baffle being 25m wide

The measures would be seen as part of the base of Bridgewater Place, so the visual impact of the structures would be mitigated by the scale of the building, with Officers being of the view that in the context of the surrounding buildings, the works would not unduly dominate the area

Members were informed that with the implementation of the proposed wind mitigation measures, the environment would be made much safer for pedestrians and vehicles; this being demonstrated by the applicant and confirmed by the Council's independent wind consultant

For the measures to be implemented, some highways alterations would be required, which included, a reduction in the left-hand turning lane to Victoria Road; the introduction of 'Trieff' curbing and pedestrian guard rails and the realignment of the pedestrian crossing facility, with these being detailed in the report before Panel

Members commented on the application, with the main issues relating to:

- the timescale for the implementation of the scheme, if granted permission
- the surface finish of the baffles and the weathering of these
- the testing of wind speed measurements with concerns that heights of 1.5m – 2.1m above the surface had only been tested and that in view of the tragic incident which had occurred at the site involving a HGV and a pedestrian, that greater height measurements should have been tested, in this particular case
- the possibility of wind affecting a high sided vehicle from a different angle
- the reduction in the number of baffles from 4 proposed in the pre-application presentation
- the undoubted need for the mitigation measures but concerns about the design of the baffles and that they did not relate to the surrounding buildings
- the highways arrangements
- maintenance issues

Representatives of CCPI – the site's owners; Buro Happold – Engineering Consultants; Chetwoods Architects and RWDI – the Council's independent wind consultants – were in attendance with Officers to respond to queries and comments from Members

- on the issue of timescale, Members were informed that the intention was to complete the works within 12 months, however, it would be necessary to clear all of the pre-start conditions
- that marine grade aluminium finish had been used on The Deep, in Hull, which had been open for over 10 years, with the material not having rusted and having weathered well. Whilst accepting Bridgewater Place was a different environment, the representative of Chetwoods Architects stated he was satisfied the proposed finish was appropriate for this scheme and would endure
- that in terms of heights for wind testing measurements, the standard heights had been used. Additionally, wind speeds around the country had been studied and reviewed. The Council's independent wind consultant stated that there was no standard for wind speed for high-sided vehicles; that there were complexities around driver experience; behaviour and size and shape of the vehicle and that wind speed for pedestrians was the focus
- that the direction of travel of vehicles had been examined and that the proposals showed that wind speeds along Victoria Road would be calmed

- that further testing had been carried out after the pre-application presentation and that 3 baffles were now being proposed which would still provide an effective solution whilst also overcoming practical issues of siting these structures in the highway
- regarding the design of the baffles, tight engineering constraints had been applied which had left little which could be changed, however it had been felt that a 'snow plough' arrangement was not acceptable in appearance but the degree of variation of the design of the baffles was minimal
- that all of the existing vehicular manoeuvres would still be able to be undertaken at the junction

On the issue of maintenance of the wind mitigation structures, the Transport Development Services Manager stated that discussions on this matter were continuing and would be dealt with as part of a S278 agreement, with the Council adopting the baffles and maintaining them at the applicant's expense. The Deputy Area Planning Manager informed Panel that as the baffles would be sited in the highway, agreement would be needed from the Highways Authority, but this was not required as part of the planning application

Members acknowledged the need for the scheme but raised concerns at the timescale of 12 months for implementation and the need for the scheme to be delivered as soon as possible. The importance of ensuring the traffic restrictions - which might be needed during the construction process - were well handled, was stressed

The importance of monitoring the scheme was also highlighted

The Chief Planning Officer suggested that in respect of condition 2 set out in the submitted report, this be amended to include the wording 'submitted and implemented in accordance with the timescales'

RESOLVED - That the application be granted subject to the conditions set out in the submitted report, with condition 2 to read 'A scheme for the monitoring of the wind environment to be submitted and implemented in accordance with the timescales agreed pursuant to condition 1, for the purposes of reconsidering the existing road closure protocols and assessing the effectiveness of the mitigation measures, shall be submitted to, agreed in writing by the Local Planning Authority and implemented. The scheme shall incorporate details of further mitigation measures where these are found to be necessary by the monitoring exercise

86 Application 14/05481/OT/14/05483/FU and 14/05484/COND - Northern Development Plots Land South of Railway Line Thorpe Park LS15

Prior to consideration of this matter, Councillor R Procter left the meeting

Plans, photographs, graphics, artist's impressions and images of similar schemes in Salford and York were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented a report which outlined the current position in respect of proposals for a residential and mixed use development of up to 300

dwellings at Thorpe Park, together with a revised masterplan and landscaping details

Members were informed that there were no changes to the uses/mix of the retail element, although the retail element which been proposed for the corner of the site had now been removed, with Officers being more comfortable about this revision

The layout of the residential units had been amended to take into account TPO trees and would provide generous amounts of landscaping. The proposed addition of residential accommodation into the site would create an opportunity for creative design, whilst still ensuring the site felt part of Thorpe Park

In terms of consultation responses, Network Rail had lodged an objection but it was felt this was based on a lack of understanding how the proposals linked and that Officers would go back to Network Rail with further information so they could revisit their comments

Objections had been received from the Cross Gates Residents' Association and these would need to be considered in greater detail

On the S106 contributions, it was reported that the Developer was happy to meet the Council's normal requirement on Affordable Housing and Education (both primary and secondary). Regarding public open space provision, Officers considered it was not necessary to provide more POS however it would be appropriate to look at the nature of the POS on the site and what facilities could be provided within this, due to the introduction of housing

The Panel discussed the proposals, with the main issues relating to:

- the amount of housing proposed for the site and whether this would increase. Officers considered this was not likely to increase in view of 300 dwellings being the maximum number which could be constructed off a single access and if provided elsewhere, the accommodation would have to be flats. The Chief Planning Officer stated that Thorpe Park was an important office location and to further dilute the office use would not be of benefit
- that the proposals afforded the opportunity to design in infrastructure such as education and health provision
- the area proposed for housing, with concerns this was isolated and the possibility of creating a footbridge over the railway to link this into the adjacent residential development. Members were informed there were no proposals for such a link but that the proposed residential community would add to the mixed uses at Thorpe Park, so in that sense, the new residential community would not be isolated
- drainage details and the need for balancing ponds to be appropriately designed with children's safety in mind
- the boundary treatment of the west of the residential accommodation; the view that the estate and park should merge, rather than a harsh boundary being sited at this location
- that the location presented an opportunity for a mixed-use scheme which included housing, however a unique approach

should be taken to house design rather than the standard volume house builder types

- that to maximise the benefit of views, that balconies should be considered, especially for those dwellings which would overlook the greenspace
- the need for the discussions on greenspace to be linked to the ongoing discussions on site allocations to ensure there was continuity of greenspace
- the need for a detailed application to be drawn up as soon as possible
- the importance of being innovative and creative when considering play areas and equipment and to consider also the provision of exercise equipment for use by the community
- that the site could be designed to be award winning and that a bespoke development was required
- the siting of an office use in the eastern corner of the site and the appropriateness of this. The Chief Planning Officer stated this was located next to a railway line; there were limitations on the number of dwellings which could be accommodated in this area and there was a question as to what else could be sited at this point, as a significant building which had presence would be needed
- the need to include more greenspace in the office/retail element of the site
- linkages to Green Park, which would become a major attraction and that a footbridge over the railway line would be of benefit. The Chief Planning Officer accepted that joining up the greenspaces from the different sites was important and that the introduction of CIL could provide funding for a pedestrian link over the bridge going forward, if this was considered necessary

In response to the specific questions raised in the report, the Panel provided the following responses:

- that Members were minded to support the proposed development of zone B for a maximum of 300 dwellings in principle
- to note Members' comments relating to how Officers were intending to deal with the S106 ask relating to the housing component
- that Members were supportive of the proposed variation in the changes proposed to the quantum of uses
- to note the concerns raised about the siting of an office block in the eastern corner of the site and to welcome alternative uses such as a nursery etc, although these would require more thought
- that Members were satisfied with the overall design concept and layout for Central Park and the perimeter landscaping although further information was required on the provision of balancing ponds in this area

- to note the need for the MLLR to be in place relative to the current application for housing

The Chair suggested a site visit to the residential development at Derwenthorpe, York, images of which had been displayed at the meeting, and for this to be opened up to all Members of the 3 Plans Panels

RESOLVED – To note the report and the comments now made and that the Panel's Lead Officer bring forward dates for a Members' site visit to the Derwenthorpe development in York

87 Election of Chair

Having previously announced his intention to vacate the chair for this item, Councillor J McKenna left the meeting

Councillor Walshaw was nominated and appointed to chair the remainder of the meeting

Councillor Walshaw in the Chair

88 Planning Development Brief for existing shops at George Street adjacent Leeds Kirkgate Market

The Panel considered a report of the Chief Planning Officer setting out the Draft Planning Development Brief for the existing shops at George Street, adjacent to Leeds Kirkgate Market. A copy of the draft brief was appended to the submitted report

Plans and photographs were displayed at the meeting

Officers presented the report and draft planning brief which sought to improve the existing 1930's and 1980's shops and office buildings on the south side of George Street which would be located opposite the Victoria Gate development, once the first phase of this major retail development was completed

The development brief set out criteria to assess proposals to redevelop the site which would be put out to a developer competition

Key aspects of the brief were outlined

Members discussed the report, presentation and draft development brief and commented on the following matters:

- the indicative ideas sketch included in the brief with concerns this illustrated pop-up dormers and flat roofs. Members were informed this was a quickly drawn sketch to begin exploring the upper floors and that the image could be modified
- the need to bring the iconic features of the internal 1904 market hall roof into prominence. The Chief Planning Officer suggested that criteria 6 should be broadened out to reflect Members' comments
- the treatment of the existing gap between the market building and the site, with the Design Team Leader suggesting glazing over this to create, for example, a café, which would enable

people to appreciate the existing plaque on the side of the market building and its internal structure

- the possibility of extending the parameters of the brief to create a whole streetscape which extended to the bus station
- the benefit such a scheme would bring to the nearby Harewood Street. The Chief Planning Officer stated that as part of the Victoria Gate development, Harewood Street would be pedestrianised to improve its use and appearance
- the need to ensure bus stops remained appropriately located for visitors to the Market
- the need to consider who Leeds Market would serve in the long-term. The Design Team Leader informed Members that during the revision process for the then, Eastgate and Harewood Quarter, John Lewis had seen being sited close to Leeds Market positively and complementary

RESOLVED - To note the comments now made

During consideration of this matter, Councillor Latty left the meeting

89 Date and Time of next meeting

Thursday 11th December 2014 at 1.30pm in the Civic Hall, Leeds