

## **CITY PLANS PANEL**

**MONDAY, 6TH JANUARY, 2020**

**PRESENT:** Councillor J McKenna in the Chair

Councillors C Campbell, P Carlill, D Cohen,  
A Garthwaite, A Khan, E Nash,  
P Wadsworth, N Walshaw, G Latty,  
K Ritchie and P Wray

A Members site visit was held in connection with the following applications:  
Application No. 12/02571/OT – Outline application for residential development for 2000 dwellings on land between Wetherby Road, Skeltons Lane and York Road Leeds 14 and Application 19/04905/FU for office development to land at Wellington Street/ Grove Street, Cropper Gate, Skinner Street and Lisbon Street, Leeds 1 and was attended by the following Councillors: C Campbell, A Garthwaite, G Latty, J Mckenna, E Nash, K Ritchie, P Wadsworth, N Washaw and P Wray

### **89 Appeals Against Refusal of Inspection of Documents**

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

### **90 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.

### **91 Late Items**

Although there were no late items the Chair did accept the inclusion of Supplementary Information from Local Ward Members and local residents in respect of Agenda Item No. 10 – Application No.18/07433/FU – Erection of 437 dwellings and associated works at Radial Park, Manston Lane, Leeds 15 and from Ward Members in respect of Item No. 11 – Application No.12/02571/OT – Outline Application for residential development (up to 2000 dwellings) on land between Wetherby Road, Skeltons Lane and York Road, Leeds 14 (Minutes Nos 98 & 99 referred)

### **92 Declarations of Disclosable Pecuniary Interests**

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

### **93 Apologies for Absence**

Apologies for absence were received from Councillors: D Blackburn, C Gruen and P Gruen

Councillors: K Ritchie and P Wray were in attendance as substitute Members.

#### **94 Minutes of the Previous Meeting**

The minutes of the previous meeting held on 21<sup>st</sup> November 2019 were submitted for comment/ approval.

**RESOLVED** – That the minutes of the previous meeting held on 21<sup>st</sup> November 2019 be accepted as a true and correct record.

#### **95 Matters Arising from the Minutes**

Former Marsh Lane Railway Station (Minute No. 82 referred) – With reference to the previous meeting when it was reported that the Chief Planning Officer together with the Chair had sent a joint letter to Network Rail seeking 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.

Members queried if a response had been received.

In responding the Chief Planning Officer said that to date no response had been received but the matter would be followed up.

#### **96 Application No. 17/08262/OT - Outline planning application for a residential development with all matters reserved save for the two principle accesses off Westerton Road and Haigh Moor Road, (but not to include access within the site), three points of access at Upper Green Avenue, Sandringham Drive and Hill Top Lane, associated works, public open space provision and accessibility and qualitative improvements to local greenspace to land off Haigh Moor Road, and Westerton Road, West Ardsley, Leeds, WF 3**

The Chair reported that representations had been received from local residents/ Community Groups and local Ward Members raising certain matters regarding the application. It was therefore requested that consideration of this item be deferred to allow officers more time for the representations received and the matters raised therein to be considered following the recent Christmas holiday period.

**RESOLVED** – That consideration of this application be deferred and, as such, the application to be brought back to the next meeting scheduled for 30<sup>th</sup> January 2020.

#### **97 Application No. 19/04905/FU - Proposed demolition of existing office buildings and redevelopment to provide offices (B1) with a flexible range of supporting uses (A1-A4, D1 and D2), with new access to double basement with cycle and car parking, high level terraces and**

Draft minutes to be approved at the meeting  
to be held on Thursday, 30th January, 2020

**improvements to the public realm at land bounded by Wellington Street / Grove Street, Cropper Gate, Skinner Street and Lisbon Street, Leeds LS1 4LT**

With reference to the meeting held on 6<sup>th</sup> December 2018 when Members received a pre-application presentation in respect of this site, the Chief Planning Officer now submitted a report which set out details of an application which sought the proposed demolition of existing office buildings and redevelopment to provide offices (B1) with flexible range of supporting uses (A1 – A4, D1 and D2), with new access to double basement with cycle and car parking, high level terraces and improvements to the public realm at land bounded by Wellington Street/ Grove Street, Cropper Gate, Skinner Street and Lisbon Street, Leeds 1.

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 proposal is to demolish the existing buildings on site and replace with a single building up to 17 storey's in height
- The basement would contain car parking for 120 vehicles, including 12 disabled bays and 12 electric charging spaces and a cycle hub incorporating cycle storage, changing areas, lockers and drying space
- Four commercial units would be located at ground floor level together with main office reception located on the south-eastern corner of the building, with a secondary access from Skinner Street
- Large external terraces located on the upper levels with ornamental planting
- The building elevations would be predominantly glazed curtain walling overlaid with a bronzed metal frame breaking the elevation into smaller modules
- Granite planters located either end of new bench seating to Grove Street with landscaping proposals identifying up to 15 new trees
- Footways around the north, east, west and southern edges would be widened to 3.1m, 3.1m and 4.5m respectively
- The open bus stop to the front would be replaced with an enclosed one

Members raised the following questions to officers/ applicant's representatives

- Was all the land within the "red line" under the control of the developer
- Members expressed concern that there were no comments from the Access Officer contained within the submitted report
- The public realm should be considered as "shared spaces" and as such could paths within that space be marked for the visually impaired

- Had the species of trees to be planted been identified yet, particularly with consideration being given to ensure these would be resistant to traffic pollution as far as possible
- The proposed new building was predominantly a glazed structure, would it be difficult to cool
- Where was the pick-up and drop-off area located
- Level access to the building was achieved via Skinner Street, this appeared to be a long distance to travel for a disabled person, particularly from any proposed pick-up and drop-off location
- Would “light pollution” from the building be an issue

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

- Officers confirmed that all land within the green line was in control of the developer and land between the green line and red line was adopted highway. Referring to the “building line” Members were informed that work was also being carried out below ground
- Members were informed that the Access Officer had been consulted and had raised no objections to the principle of the development, but this was not stated within the report
- Transport Strategy officers have undertaken pre-consultation meetings with the relevant user group(s) to ensure that equal access requirements are appropriately considered and taken into account in relation to the application
- Members were informed that shared spaces could be delineated and include appropriately differentiated surfaces to mark-out cycle paths, which would be provided for as part of the s278 Agreement
- The LCC Tree Officer confirmed that careful consideration would be required when determining the species of trees to be used taking into account issues such as depth of soil, the trees root system and underground services
- The Architect informed Members that the building incorporated new technologies / mitigation controls which prevented the building from overheating (Coated glass and ventilation systems)
- The LCC Highway Officer confirmed that a pick-up and drop-off area was located on Skinner Street, and all existing Pay & Display bays (except those on Cropper Gate) will be removed and replaced with loading bays. It was further confirmed that a clear frontage is to be retained on Wellington Street Officers confirmed that the Main Entrance (Wellington Street) was accessed via stairs with a graded slope and ramp running across the front of the building, as raising of the building floor level is required to avoid flood risk. There was secondary level access on Skinner Street with the ability to drop off close to this entrance
- The Architect informed Members that active lighting would ensure rooms were not lit when there was no one present outside core office / working hours and external and internal lighting would not have a major impact on neighbouring properties

In offering comments Members raised the following matters:

- The majority of Members welcomed the design of the building
- Disabled access was a significant concern for Members and it was felt that the potential travel distance for wheelchair users to the Main Entrance were too long, such that an alternative access solution would be welcomed
- One Member suggested the base of the building could be re-designed to provide a more solid appearance
- Careful consideration was required as to the type of trees to be planted, in particular the ornamental planting on the upper external terraces, as well as to ensure that there would be suitable ground conditions for the tree planting to the publically-accessible areas at Grove Street
- This building would accommodate a large number of people, could the replacement bus shelter be of a suitable size to accommodate a large number of people
- Could it be ensured that the comments of the Access Officer are incorporated within the reports to Members

The Chair thanked the developers for their attendance and presentation, commenting that Members were generally supportive of the design of the building but disabled access and landscaping were areas where further discussions/ negotiations were required.

#### **RESOLVED –**

- (i) That the application be deferred and delegated to the Chief Planning Officer for approval subject to further discussions in respect of the; disabled access arrangements, a satisfactory planting scheme and subject to the conditions specified in Appendix 2 of the submitted report (and any others which he might consider appropriate) and also the completion of a Section 106 agreement to include the following obligations:
  - Compliance with agreed Travel Plan measures and a review fee of £21,163
  - 1 car club space to be provided on-street outside the site;
  - A contribution of £13,505 for Car Club free trial;
  - Contribution of £10,234 per space lost for removal of Pay and Display parking spaces outside the site;
  - 24 hour public access around the periphery of the site;
  - Local employment and training initiatives;
  - Section 106 management fee (£2,250).
- (ii) In the event of the Section 106 Agreement 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.

**98 Application No. 18/07433/FU - Erection of 437 dwellings with new roads, open space, landscaping, drainage and associated works at Radial Park, Manston Lane, Leeds, LS15 8ST**

With reference to the meeting held on 10<sup>th</sup> October 2019 when Members received a detailed position statement in respect of the application, the Chief Planning Officer now submitted a report seeking agreement of the proposals in principle.

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 proposal to construct 437 dwellings (29 different house types)
- Creation of new roads, 3 new access routes, open space provision, drainage and associated works
- Building heights predominantly 2 and 3 storeys
- Amended window features
- Materials plan
- Sustainability condition to include some photovoltaic cells

The Planning Officer reported the receipt of additional representations from Ward Members who had expressed a need to avoid a blandness to the design of the houses, good design of the street scenes was required, it was important that an off-site payment for replacement sports facilities within the Ward was pursued, the future of the Barnbow Sports and Social club was a key consideration and must be included within the Section 106 Agreement, the heritage aspects as described in the report were welcomed, and the unresolved highways issues must, in the first instance, be agreed with Ward Councillors before any recommendation to defer and delegate to officers would be acceptable.

Further representations had also been received from two local residents who had identified the following issues: the minimum separation distance standards must be applied, there were anti-social behaviour issues from nearby Housing Association properties and a resultant need for affordable housing to be 'pepper-potted' throughout the site, there was a lack of permanent retail provision included within the Masterplan, there was no clear benefit to the provision of a link road to Maggie Barker Avenue, there were no direct links across the railway line to the proposed Green Park, and the construction methods and materials proposed for use were not sufficiently advanced in terms of ensuring carbon reduction and contributing towards climate change mitigation.

Members raised the following questions to officers/ applicant's representatives:

- The provision of photovoltaic cells was included on some houses but not all, could a condition be added requiring the infrastructure for photovoltaic cells to be included on all properties
- Could more sustainable building materials and an overall sustainable building approach, in terms of construction methods, be considered
- The proposed house types appeared to be very bland and uninteresting, could further thought be given to a more modern/interesting house types design similar to those at the Thorpe Park development
- It was disappointing that there was no accessible housing provision on site and the application as a whole was not in accordance with recently adopted Core Strategy Policy H10
- The provision of only 2 bungalows was unacceptable on a site of this size
- Was there any heritage proposals for remembering the former activities on the site during its use as a munitions factory
- What was the proposed timescale for completion of the development
- Could speed tables be provided within the site to reduce both vehicle and cycle speed, particularly at the access point from Manston Lane

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

- In order for conditions to be added they needed to be necessary to make the development acceptable in planning terms. In this case there was no planning policy requirement for all houses to be built with photovoltaic cells. Therefore officer advice is that such a condition would fail the legal tests and should not be added
- Policies regarding environmental sustainability credentials can be met in a variety of ways by developers, be this via use of low-carbon materials, inclusion of photovoltaic cells on properties etc. A mixture of approaches had been proposed here, such that existing policy requirements are met
- Members were informed that the modern house type design at the Thorpe Park development replicated the modern design of the nearby Business Park, the Radial Park design was more traditional so as to ensure links / sympathetic design maintained in relation to the nearby Belway and Avant development sites
- Members were informed that the report before Members dealt with the outstanding issues remaining following Members consideration of the earlier Position Statement. Providing accessible and adaptable dwellings does increase build-out costs and also requires additional space, which could adversely impact on the overall viability of the scheme, a matter which was considered at the time of the Position Statement
- Provision of accessible and / or adaptable dwellings has to be balanced against other planning considerations, such as the provision of affordable housing on-site – which Members had previously

considered should be a priority on this development site due to the reported viability position

- Members were informed that the two bungalows had been provided at the request of Members, with the presence of bungalows on a development proposal of this nature in fact being rare
- All dwellings will have electric vehicle charging points
- The Planning Case Officer said the WWII Pill Box on Austhorpe Road would be retained but the former tank factory was a relatively modern building with limited heritage interest, such that it had been demolished in its entirety and nothing historical remains on site.
- Members were informed that road names on the development will serve as a remembrance to the munitions' workers that lost their lives at the site, as has been the case on the Belway development. There was also a scheduled monument nearby remembering the workers of the munitions factory and Members were keen to ensure the future of the Barnbow Sports and Social Club was secured to retain this additional historic link
- The applicants representative said the development should be complete within a period of 4 - 5 years
- The LCC Highway Officer confirmed that some speed tables could be considered near the entrances to the site and the junctions with the cycle routes

In offering comments Members raised the following matters:

- One Member expressed the view that “this was a boring development with boring house types – Where’s the ambition”
- The majority of Members expressed disappointment with the design of the house types suggesting they were too bland and uninspiring and could further design work be undertaken
- Could further discussions take place with a view to achieving an increase on the number of photovoltaic cells
- A number of Members expressed concern about the lack of accessible housing and requested if the issue could be revisited.
- Unresolved highway issues require the agreement of Ward Councillors

It was suggested by a number of Members that the application be deferred to look again at the concerns raised by Members

The Chair thanked the developers for their attendance and contribution, commenting that there appeared to be a number of concerns raised by Members which required further discussion.

**RESOLVED** – That the application be deferred, to return to Panel for consideration at a later date following further discussion/ negotiations having been undertaken with the applicant concerning:

- Alternative design solutions of the house types

- An increase in the provision of photovoltaic cells or adaptability of properties to incorporate cells at a later point
- Accessible housing provision
- Unresolved highway issues
- Incorporation of additional elements linking the development to its former use (and heritage significance of the same)

**99 Application No. 12/02571/OT - Outline application for means of access and erection of residential development (circa 2000 dwellings), retail, health centre, community centre and primary school development, with associated drainage and landscaping on land between Wetherby Road, Skeltons Lane and York Road, Leeds, LS14.**

With reference to the meeting held on 9<sup>th</sup> June 2016, when Members received a progress report which explained the implications of the adoption of the Council's CIL Charging Schedule for the Section 106 Agreement, noting that the applicant had been able to accept 15% affordable housing as deliverable.

The Chief Planning Officer now submitted a further report which sought to provide an update on the progress of the Section 106 Agreement and the planning consent 'positioning' within the changed policy context, i.e. the Core Strategy (as amended in 2019), the Site Allocations Plan (2019) and the revised National Planning Policy Framework (NPPF) (2019). Additionally, a contextual update on progress of the East Leeds Orbital Route (ELOR) was also provided.

The Planning Case Officer reported the receipt of additional representations from Ward Members (Crossgates and Whinmoor) who had commented that they were unimpressed with the lack of commitment by the consortium in finalising the Section 106 Agreement. They also expressed concern that the consortium had made no effort to contact Ward Members of either; Cross Gates and Whinmoor or Harewood, as this development affects both communities.

It was the wish of Ward Members that Panel endorse the principle of maximum public consultations by the developers, including Ward Members and local communities, before any application was considered by panel, suggesting it was unthinkable that Persimmon and partners believe anything other than that would be acceptable.

In terms of ELOR, Ward Members were of the view that the project appeared to be making significant progress and they continued to be very supportive of the project.

There were no questions raised by Members.

In offering comments Members raised the following matters:

- Members welcomed the analysis of the scheme against the updated policies in the Core Strategy, SAP, Neighbourhood Plans and the latest version to the NPPF. Officers' clear and unequivocal commitment to applying up-to-date policy in the context of this development proposal was commended.
- One Member said Phase I of the ELOR project could have performed slightly better, suggesting it had overrun by 6 weeks and provided little clear benefit to date.

The Chair thanked officers for the update and welcomed the comments made by Members.

**RESOLVED –**

- (i) That the contents of the report be noted
- (ii) That Officers continue to finalise the drafting of the Section 106 Agreement and conditions in order to issue the outline planning consent in due course

**100 Date and Time of Next Meeting**

**RESOLVED –** To note that the next meeting will take place on Thursday, 30<sup>th</sup> January 2020 at 1.30pm in the Civic Hall, Leeds.