

CITY PLANS PANEL

THURSDAY, 14TH JULY, 2022

PRESENT: Councillor J McKenna in the Chair

Councillors D Blackburn, K Brooks,
C Campbell, P Carlill, D Cohen,
R Finnigan, A Garthwaite, C Gruen,
P Wadsworth, E Flint and N Walshaw

10 Appeals Against Refusal of Inspection of Documents

There were no appeals.

11 Exempt Information - Possible Exclusion of Press and Public

There was no exempt information on the agenda.

12 Late Items

There were no late items.

13 Declaration of Interests

There were no declarations.

14 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors A Khan and A Maloney.

Councillors E Flint and N Walshaw were in attendance as substitutes.

15 Chair's Opening Remarks

The Chair informed the Panel that this would be the last meeting for Sarah McMahon, Principal Planner and Matt Hills, Principal Legal Officer.

Members and colleagues paid tribute to Sarah as a real asset to the City Plans Panel and for her contribution to many significant schemes that she had been involved with including Victoria Gate, Leeds General Infirmary and Skelton Grange.

Matt was thanked for his invaluable legal advice throughout all stages of the planning process and particular mention was made to the Leeds Bradford International Airport application.

Members thanked Sarah and Matt for their contributions over the years and wished them both well for the future.

16 Minutes - 16 June 2022

RESOLVED – That the minutes of the meeting held on 16 June 2022 be confirmed as a correct record.

17 Application 20/08521/OT - Land at Capitol Park, Topcliffe Lane, Morley, Leeds

The report of the Chief Planning Officer presented a hybrid planning application including detailed application comprising the demolition of existing buildings and structures; earthworks to form development platforms, drainage features, embankments and bunds; strategic landscaping, alteration of existing access road, including works to existing Topcliffe Lane and junction with A653 and construction of new access road, to serve employment development. The outline application comprises the construction of employment floorspace (Use Classes B2 and B8 with ancillary office) and associated servicing and infrastructure including car parking, vehicle, pedestrian and cycle circulation, landscaping and ecology works, noise mitigation, drainage features and all associated infrastructure.

The application had been deferred at the meeting held in May 2022 for further discussion between officers and the applicant regarding the maximum massing and heights of the building and concerns regarding noise and light pollution.

Site plans and photographs were displayed and referred to throughout the discussion of the application.

Further issues highlighted in relation to the application included the following:

- There had been further discussion regarding the parameters for maximum height and massing of buildings to be situated in parcel 3 of the site and mitigating measures for noise and light pollution.
- There was a reduction in the proposed heights from 22.4 metres to 18.5 metres and the eaves would not be as tall as that. It would not be feasible to have a 15 metre height limit.
- Indicative layouts and shadowing diagrams available on planning portal showed that there would be a minimal impact on residential amenity.
- There had been 50 additional representations since the last meeting. These did not raise any new material planning considerations. There had been further objections from local Ward Councillors.
- Environmental Health had been consulted and were satisfied with the proposals subject to conditions.
- The closest residential properties were 85 metres away.
- Slides were shown displaying the landscaping scheme after 5 years and 10 years. The scheme would be almost completely screened by

the landscaping after 10 years and there would be no over dominance after 5 years.

- An indicative light spill plan had been produced and there had been a strengthening of conditions for light and noise pollution. These issues would be dealt with at the reserved matters stage.
- The applicant had carried out an updated noise and vibration assessment and had proposed significant measures including landscaping and acoustic fencing.
- This was a significant employment site and issues raised by Members were considered to have been addressed.
- Environmental Health had carried out light and noise assessment concluded that guidelines would be met. There would be further consideration at the reserved matters stage.

In response to questions and comments from the Panel, the following was discussed:

- Finer details of the light spillage plan would be due for further consideration at the reserved matters stage.
- The assessments were based on a worst case scenario and that there would be a 24 hour operation at the site.
- Noise monitoring indicated that there would be a low impact. Sound levels as detailed in the report were taken on a predicted hourly average.
- Development of buildings would be done under the reserved matters application then a full noise assessment could be carried out .
- Further discussion could be held with the applicant regarding the slope in between parcel three and the housing and if it could be raised to provide better screening.
- Concern that there would be noise disturbance due to vehicular movements at the site.
- Concern that issues surrounding light and noise pollution would not be properly addressed at this stage of the application.
- The proposals would be in breach of the Council's Climate Emergency declaration.
- Noise disturbance for local residents would be intolerable.
- This was the wrong kind of employment use for this site.
- A motion was made to refuse the application and this was seconded. The Legal Advisor informed the Panel that the motion for refusal went against Leeds City Council Planning Code of Good Practice. A councillor would need to make a resolution that they were minded to refuse the application and if it was seconded and voted upon and went through this would have to be a deferral for officers to prepare proposed reasons for refusal and then be brought back to Panel for determination. If the committee were to take this course of action then officers would need clear guidance from members as to what those reasons for refusal would be. The chair set out that the Panel would go back to that resolution after members had been given the opportunity to debate.

- The application had evolved and improved and previous issues raised by the Panel had been resolved and a condition for increasing the height of the bund/slope for screening would be helpful.
- There still needed to be further work on noise mitigation.
- Concerns remained due to the proximity to residential housing.
- The reduction of the height on buildings on parcel three was welcomed and a significant improvement and a worst case scenario of the noise and light pollution was considered to be acceptable. It was felt that the proposals met policy guidelines and there were no reasons to refuse the application.
- Although the height reduction was an improvement there were still concerns regarding noise and light pollution and this will have a significant impact on residential amenity. This could not be supported with the 24 hours of operation.
- There was a need to get an agreement for the bund to be raised.
- This was an allocated employment site, the panel had been advised it was policy compliant and that noise attenuation would be satisfactory.
- There needed to be a high quality landscaping scheme. It was reported that the landscaping scheme would be controlled by conditions.
- There would be the planting of 10,000 trees which would be part of the landscaping conditions.
- A condition could be imposed which required vehicles to have quieter reversing warnings.

The earlier motion that it be minded to refuse the application on the grounds of impact on residential amenity due to light and noise and the height and size of the buildings and also that it is contrary to the Council's declaration of Climate Emergency was voted upon. The vote was not carried.

A subsequent motion to move the officer recommendation was seconded with additional conditions.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions outlined in the report (and any others which he might consider appropriate); the completion of a S106 agreement; and consultation with the Secretary of State.

The Section 106 Agreement shall include:

- Provision of a Site Wide Management Company
- Provision of Biodiversity Improvements and a Management Plan;
- Provision of Open Space Management Plan;
- Deed of Variation to Historic S106 Floorspace Restrictions;
- Provision of a Travel Plan, including £10,567 monitoring fee;
- Local Employment Initiatives, including £45,000 contribution towards The Ahead Partnership and £50,000 towards an Apprenticeship Fund;
- Scheme to deliver the off site highways works at M62 junction 28 improvements through a s278 Agreement;

- Contribution of £700,000 towards off site highway works A653 Dewsbury Road southbound bus gate;
- Junction improvements contribution £328,890;
- Contribution for shared footway and cycle path improvements £146,750;
- The planting of 10,000 trees; and
- Provision and implementation of a new publicly accessible park and future maintenance as part of the Proposed Development.

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

Additional conditions:

- To limit the noise from vehicle reversing warnings.
- Further discussion with the applicant regarding the bund height which was closest to residential properties.

18 Application 22/00351/FU - Land off Water Lane, Holbeck Leeds

The report of the Chief Planning Officer presented an application for a multi-level residential development (Class C3) with associated hard and soft landscaping and rooftop amenity space at a site on land off Water Lane, Holbeck Leeds.

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

Further issues highlighted in relation to the application included the following:

- The proposals were for an entirely residential scheme with landscaping and amenity space.
- The site was previously used as a temporary car park.
- There would be 375 dwellings including 200 one bedroom apartments, 144 two bedroom and 36 three bedroom.
- There would be three internal communal amenity spaces. There would be external amenity space and car parking.
- A financial viability appraisal was detailed in the report which gave three options.
- The Fire Strategy had not been concluded and it was proposed to defer and delegate this for approval.
- The building would range from 2 storey to 26 storeys.
- There would be new tree planting on the site.
- CGI images of the proposals from various nearby locations were displayed.

- There were ongoing discussions regarding the wall between the site and the Midlands Mills site.
- There would be some undercroft parking and also drop-off points.
- There would be a total of 46 car parking spaces.
- All the apartments met minimum space standards.
- Materials and design would reflect that of buildings elsewhere in the area. Some levels on the development would have balconies.
- CGI images showing the entry point and landscaping scheme were displayed.
- The proposals were felt to be positive and brought a fallow site back into use. It was recommended that the application be approved.

The District Valuer updated the Panel on the viability appraisal. There had been a need to review the viability due to inflationary pressures on construction costs. The costs had been independently reviewed. The original report had said it was unviable to make any contributions and it would actually make a loss. It was demonstrated that this loss could be turned around and some contribution could be made to affordable housing, CIL and Section 106. Three options were outlined in the District Valuer's report.

There was a preference for Option 3 as this would provide a contribution to the Sustainable Travel Fund.

In response to questions and comments from the Panel to officers and the applicant's representatives, the following was discussed:

- Measures for the travel plan could include a car club, travel tickets, cycle vouchers, an onsite cycle hub facility and walking accessories.
- In terms of the viability position changing there were options including giving a shorter consent period following approval. This would need to be agreed with the applicant.
- The applicant confirmed that the viability was based on the current position and was keen to deliver the scheme as soon as possible. Costs were likely to continue to rise. The site had been a challenge with regards to viability.
- Members questioned the need for a car club, highlighting the proximity of the site to the train station. Officers clarified that there were other car clubs in the area. Car club membership was promoted to encourage people not to own their own cars. Following the original figures that demonstrated the scheme would make a loss, the applicant had been studying other ways of cost saving to make the scheme viable.
- There was a need to maximise density on the site due to land values rising.
- The site is build to rent, members queried whether another model would be more viable.
- Without the viability issues, Section 106 contributions would be £250 per unit for the sustainable travel fund; £10k for traffic regulation orders and £250k for pedestrian and cycle connectivity. There would also be a public open space contribution of £450k.

- With concerns to the scheme not meeting policy requirements it was reported that the housing needs assessment met the demographic needs of the area based on market evidence. The reduced affordable housing contribution was acceptable under the viability appraisal. The applicant could be requested to provide electric vehicle charging points at the start of the scheme and not be phased. With regards to EN1 a standard assessment procedure had been used and there was a betterment and this was appropriate for this scheme.
- The reduction in cycle parking was appropriate with the provision of a cycle hire scheme. There were possibilities of other locations for cycle parking.
- Members queried whether the boiler would use renewable electricity, this information was not known but could be considered as part of the final scheme.
- The applicant was committed to the contribution for the traffic regulation order if required.
- A Traffic Regulation Order would be required for the loading bay outside the site and there would be a need for a 20 mph order.
- The £250k was not to be specifically used on a direct scheme but was the standard 10% request for contribution towards local cycling and walking schemes. There was a scheme proposed for Neville Street and other schemes proposed in the area.
- Option 3 was preferred as this would safeguard money to the sustainable travel fund.
- Concerns regarding safety for people walking from the city centre, the lack of nearby supermarkets and walk into the city centre were both noted as potential issues – it was reported that there would be security measures on site (CCTV and concierge) and as activity increased in the area there would be more natural surveillance.
- Cycling, walking and public realm schemes are being considered in the area.
- The travel fund contribution was specific to this site.
- There would not be an active frontage to the development as it was a buy to let scheme. The management of the scheme would involve a community focus and there would be safety initiatives including improved lighting. The developer would investigate any other ways in which safety for people walking from the city to the development could be improved. The scheme would bring significant improvement to the frontage on Water Lane and the reception area and communal spaces would provide natural surveillance. Work was ongoing with other developers to improve public access.
- If there was no access through the wall between the site and Midland Mills there would be potential for anti-social behaviour./
- The design was a reasoned resolution for apartment blocks.
- There needed to be further discussion on design and how it would fit with the Midlands Mill development.
- It would be preferable to see more of an affordable housing contribution and more of a focus on physical changes than behaviour change measures.

- The design was good and was in fitting with the area.
- There was a need for more affordable housing in the city centre.
- The scheme would swamp the Midlands Mill development and detract from the listed building on that site.
- The landscaping would not work without the removal of the wall between the Midlands Mill site.
- This area of the city was in need of more greenspace.
- There was a need to improve connectivity between the site and the city centre.
- The best way to improve the area would be for development to take place.
- There were a number of policy issues that were not being met and a motion was made that the Panel were minded to refuse the application as it was contrary to policy H4 relating to affordable housing, H5 housing mix, EN1 and EN8. Also the need for improved connectivity and the lack of greenspace contribution and the Section 106 contribution.
- It was suggested that the application be deferred to allow the developer to address the concerns raised. It was requested that should the application be deferred more plans of the surrounding area be provided.

RESOLVED – That the application be deferred.

(Councillors D Cohen and P Wadsworth left the meeting during the discussion on this item).

19 PREAPP-21-00494 - 42 The Headrow, Leeds, LS1 8HZ

The report of the Chief Planning Officer informed Members of a pre-application presentation for the proposed change of use and alterations to Headrow House to form 232 co-living apartments; 42 The Headrow, Leeds, LS1 8HZ.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the presentation.

It was reported that this was the first time a co-living proposal had been presented to Panel and that there was no specific policy in the Core Strategy for co-living. The proposals were for a long term residential development with day to day living facilities. Members were asked to consider whether it was acceptable to have smaller sized residential elements with larger communal spaces. Co-living was a new concept to Leeds but could be found in other cities.

The applicant's representatives addressed the Panel. The following was highlighted:

- The building was recently used as office space and was now empty.

- It was felt a housing offer would be best suited for the building and the building layout lent itself to the proposed studio design and would work well for co-living.
- There would be improvements to the exterior and interior of the building.
- The development would encourage working people to live in the city centre.
- The proposals were sustainable in use and design and made use of carbon reduction technology.
- The proposal would give an appealing living environment and co-living was growing in popularity.
- There were three key elements:
 - Community – the co-living model promoted social interaction and there would be a range of communal social spaces.
 - Flexibility – there would be straight forward tenancy agreements with a minimum of 3 months tenure.
 - Inclusivity – there would be single monthly payments that covered all costs.
- It would be targeted at graduates, young professionals and those moving to the city for work. There was clear demand for this kind of development.
- The proposals would support graduate retention and promote city centre living and support the city centre economy.
- The entrance to the building would be improved with new lighting and would provide an active frontage to Dortmund Square.
- Design of the studios with kitchen and bathroom spaces. There would be communal kitchens that were better equipped.
- Communal spaces and facilities including laundry areas and workspaces.
- The site is a prominent 1920s building.
- Health and Wellbeing of residents was fundamental.
- The biodiversity net gains would exceed national targets.
- The proposals would bring key social, environmental and economic benefits.
- Members were shown a walk through video presentation of the proposals.

In response to Members questions and comments, the following was discussed:

- With regards to anti-social behaviour, the Panel was informed that would be a management team on site with four members of staff and a concierge. A three strikes and you're out policy would be in place.
- The loss of space in the studio apartments was mitigated by the available communal spaces.
- Concern regarding the amount of natural light for the studios.
- Concern about the level of demand for this accommodation.
- There would be a communal laundry room.

- Concern about whether the combined size of the resident's studios and the communal space would be equal to that of a residential development for the same number of occupants.
- Each floor of the development would have two communal kitchen spaces and other communal areas.
- There were other co-living arrangements in Leeds based on a co-operative model. There were concerns as to how this would be managed on such a level particularly where there was conflict. This would be covered by the management operations and support would be available to individuals.
- The proposals had been devised following commissioned work into housing demand.
- The proposals were felt to be a positive re-use of the building but there were concerns regarding the size of the studios.
- The size of the accommodation was too small for the more mature market and further work was needed on how to reconfigure the proposals.
- It would be preferable for a development of this type to be led by residents. Detailed management plans would be required.
- There was a market for this kind of accommodation.
- It would be useful to have policy relating to this kind of accommodation.
- Questioned whether co-living would be a choice for young people who cannot afford to buy their own property.
- A C3 development would be preferable with communal workspaces and lounges.
- It was suggested that the Panel visit an existing co-living development.
- Whether the original main entrance to the building could be used.
- The Lord Mayor had suggested the use of the name Siegen in regard to Leeds twinning with the town.
- In response to questions outlined in the report felt more information was needed before they could support the principle of co-living and the residential amenity offered by the development. With regard to the approach to affordable housing provision it was agreed that that a financial contribution would be the most appropriate solution.

20 Date and Time of Next Meeting

Thursday, 11 August 2022 at 1.30 p.m.