CITY PLANS PANEL

THURSDAY, 16TH JULY, 2020

PRESENT: Councillor J McKenna in the Chair

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

1 Appeals Against Refusal of Inspection of Documents

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

2 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.

3 Late Items

There were no late items of business identified.

4 Declarations of Disclosable Pecuniary Interests

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

5 Apologies for Absence

There were no apologies for absence.

6 Minutes of the Previous Meeting

The minutes of the previous meeting held on 21st May 2020 were submitted for comment/ approval.

With reference to Minute No.149 – Development off Haigh Moor Road and Westerton Road, West Ardsley, Members requested that the voting details (Those Members; for, against or abstained) be included within the minutes

RESOLVED – That, with the inclusion of the above, the minutes of the previous meeting held on 21st May 2020 be accepted as a true and correct record.

7 Matters Arising from the Minutes

Members queried the timescale for Remote Plans Panel Meetings and whether there was delay to determining applications due to the disruption to the normal panel cycles and agendas due to the coronavirus pandemic.

In responding the City Centre Team Leader said Plans Panel Meetings would resume their normal monthly schedule from August 2020. Although there had been some disruption to presentation of major proposals at pre-application stage, the planning service had managed to continue to bring forward for determination formal planning applications through the remote meetings to date.

(At this point in the meeting the Chair lost internet connectivity and dropped out of the meeting, in the absence of the Chair Councillor Caroline Gruen assumed the Chair)

8 Application No.17/02594/OT - Outline planning application with all matters reserved except for access, for the creation of a new community comprising up to 800 dwellings, a food store (A1) (up to 372 sq.m), primary school and public open spaces at Land off Racecourse Approach, Wetherby, LS22.

With reference to the meeting of 30th January 2020 and the decision to:

(i) Note the contents of the report

(ii) To note the continuing issues around vehicular access to the site; and

(iii) To reaffirm that progression towards granting Outline Planning Permission (17/02594/OT) remains in accordance with the resolution made at the meeting held on 29th August 2019

The Chief Planning officer now submitted a report which sought to provide an update on the work that had been undertaken since the previous Panel meeting on 30th January 2020.

The Planning Case Officer made reference to the recent receipt of communication from the Better Wetherby Partnership relating to a letter from the Leader of the Council advising them that if the Council received any formal plans or information from the applicant, the Council would re-notify all interested parties in order that they have their comments taken into consideration. Members were informed that the letter also advised that once the necessary re-consultation had been undertaken, the Council would then be in a position to report back to the City Plans Panel with a formal recommendation.

The Planning Case Officer said that in light of the contents of the letter, and following discussions with the Chair, it may be prudent to seek a deferment of the application until any necessary consultation had been carried out.

The Chair sought Members views on the proposal to defer consideration of the application until such time re-consultation had been undertaken.

Members sought the opinion of the Legal Services Officer

Referring to the contents of the letter from the Leader of Council, the Legal Services Officer said that it was his view that the letter appeared to provide legitimate expectation that if any formal plans or information was submitted from the applicant then further re-consultation would be undertaken, therefore a deferment of the application may be advisable.

In the discussion that ensued some Members were supportive of the proposal to defer consideration of the application, subject to assurances being provided that the application be brought back to the next meeting on 6th August 2020

Other Members expressed the view that vehicular access at the junction location continued to be a fundamental concern and the developers appeared to be even further away from delivering this.

It was moved and seconded that the application be refused on the grounds that the developers were unable to deliver the required vehicular access.

Upon being put to the vote the motion was lost

It was then moved and seconded that the application be deferred, subject to assurances being provided that the application be brought back to the next meeting on 6th August 2020.

Upon being put to the vote the motion was carried

RESOLVED - That the application be deferred, subject to assurances being provided that the application be brought back to the next meeting on 6th August 2020.

9 Application 20/02048/FU - Demolition of existing structures, the construction of a new cafe and a cycle hub; a new taxi rank; public realm enhancement works including hard and soft landscaping; improvements to the cycle, pedestrian and multi-modal interchange arrangements and the installation of new access lift at Bishopgate Street, New Station Street and Mill Goit, Neville Street, and Dark Neville Street, Leeds City Centre and Listed Building Application 20/01996/LI for the demolition of an existing section of wall and the construction of a replacement wall, which will be built into an existing listed wall at Bishopgate Street, New Station Street, Leeds.

With reference to the meeting of 30th January 2020 when Members received a pre-application presentation for the proposal in respect of this site.

The Chief Planning Officer now submitted a report which sets out details of

an application for the demolition of existing structures, the construction of a new cafe and a cycle hub; a new taxi rank; public realm enhancement works including hard and soft landscaping; improvements to the cycle, pedestrian and multi-modal interchange arrangements and the installation of new access lift at Bishopgate Street, New Station Street and Mill Goit, Neville Street, and Dark Neville Street, Leeds City Centre and Listed Building Application 20/01996/LI for the demolition of an existing section of wall and the construction of a replacement wall, which will be built into an existing listed wall at Bishopgate Street, New Station Street, Leeds.

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

The Planning Case Officer addressed Panel, speaking in detail about the proposal and highlighted the following:

- Development of a multi-modal transport interchange.
- Pedestrianisation of New Station Street from the junction with Boar Lane to the point where it meets City Square, with only service vehicles and British Transport Police vehicles allowed access
- Major improvements to the main entrance, enhancing the image of the station and creating a gateway to the city.
- Complete re-design and re-building of the station entrance connecting Bishopgate and key pedestrian access routes to the east and south of the city centre.
- Accessibility improvements through the installation of two new 21 person capacity pedestrian lifts connecting Bishopgate and the station entrance.
- Enhanced pedestrian and cycle friendly routes through Neville Street, Dark Neville Street and Victoria Road to actively promote sustainable forms of transport.
- Improving connectivity across the city centre by installing high quality cycle lanes on key strategic gaps in the city centre.
- Installation of the 700 storage cycle hub at the junction of Bishopgate Street with the Neville Street Bridge providing connectivity from the Station to the cycle routes around Leeds centre and wider district. The cycle hub will include space for electric bikes and is expected to offer maintenance and repair services in addition to storage facilities.
- Infrastructure improvements will help support the Climate Emergency agenda by encouraging uptake of sustainable forms of transport.

The Panel heard from Mr T McSharry (Disabled Voluntary Community Representative – Access Usability Group - LCC Consultation Group on behalf of Disabled People) who was objecting to the proposals.

Mr McSharry explained he was here today to put forward the views of disabled people who had very serious concerns about the proposal to remove the taxi rank from New Station Street. He said the group welcomed the public investment in this critical part of transport infrastructure for Leeds, but one

which meets the quality and rights of all people. Access and participation must be open to all communities, minority groups must not be excluded.

Mr McSharry said the removal of the taxi rank treats people less favourably, it discriminates and puts disabled people at a substantial disadvantage if they were to use the station. The Group had provided a position statement which sets out 3 individual case studies of disabled people and how they would be disadvantaged if they used the taxi rank under the new proposals. One local MP had at a recent meeting recognised the case studies were powerful for making the case on behalf of disabled people.

Mr McSharry said it was his roll today to ask that the City Plans Panel rejects the proposals in its current form, given its discriminate so openly. The consultation for the scheme began 7 months ago and from the start there was no ambiguity from Disable Groups that the taxi rank did not require relocating to Bishopgate. Mr McSharry said some disabled people cannot use lift or press buttons, this had been raised by blind people within the case studies that they would be placed at a real disadvantage. The whole consultation process had simply expunged the objections of disabled people.

In summary Mr McSharry said this proposal discriminates against minority communities. Given the flawed consultation and the level of discrimination highlighted in the submitted documentation, please do not make a decision which will exclude older and disabled people

Questions to Mr McSharry

- Please provide more detail about the case studies
- Have you met with Officers/ Developers to discuss alternative proposals
- In terms of reasonable adjustments, you are seeking level access to the taxi rank on New station Street
- The forecasted growth in passenger numbers over the next few years would cause further discrimination to disabled groups - The Council could not do nothing
- The Developer intends to provide two lifts (21 person capacity) connecting Bishopgate and the station entrance, you appear not to be supportive of the proposal
- Had a “zigzag” ramp been considered, not only would such a ramp assist Disabled Groups but would also held passengers with luggage to gain easier access to the taxi rank

In responding Mr McSharry said:

- One case study involves the experience of a teenage boy with profound autism another study is that of a blind person and the third is that of a wheelchair user. All 3 use taxis and all 3 currently encounter barriers/ obstacles and this proposal will place further barriers and levels of discrimination against them and make their journey’s far more difficult

- There was a meeting with the Project Team in January 2020 when the issue of reasonable adjustments to the scheme was raised. At that time the Project Team were dismissive of our proposals. There had not been a meeting since, due to covid 19 but some were originally planned.
- The current situation could be rectified but the developers are not recognising discrimination or providing any consideration of reasonable adjustments.
- If the Council were to do nothing they would be in breach of Disability Legislation
- The provision of lifts for a certain group of people is discrimination, the provision of level access is the preferred alternative
- The provision of a ramp would address many of the issues of concern

The Panel heard from Mr Martin McConaghy – Registered Access Consultant to support the scheme on design matter (Atkins) and Mr Martin Morgan, who were in support of the scheme.

Mr McConaghy explained that this project had been supported by several source documents, it was also being guided by the City Councils supplementary Planning Guidance and Leeds City Council's own Access Officer who have logged their own support for this application. From a technical point the project was aiming to achieve BS8 300 which is accepted as best UK practice for inclusion design. The Project team had met with the City Council Access Usability Group, during these meetings there had been no objections to proposals for Neville Street, Dark Neville Street or New Station Street, there had however, been some very vocal objections on the single issue of relocating the taxi rank.

This project was committed to working with disabled people to ensure the scheme works for the largest range of passengers and further ongoing dialogue is planned with disabled groups on the detailed design of the scheme. The project team do not believe it is possible to accommodate the pedestrian width, a cycle width and space to allow for taxis on New Station Street, there simply is not enough space to accommodate all those different needs. The Scheme also needs to be able to accommodate groups of people who may need to congregate in front of the station in the event of an evacuation scenario. This requires removal of vehicle traffic from New Station Street that cannot be achieved if a taxi rank is retained on New Station Street. It is accepted that moving the taxi rank further away, 15 metres in distance and introducing a change in level is problematic to some disable people, but it must be viewed in the context of using the railway network. Leeds like most railway stations relies on lifts and steps to provide access to its platforms, if a disabled person can travel independently on the railway to Leeds station, there should be no reason why the proposal would prevent their onward journey. In this respect the proposal removes the need to cross the existing road which is populated by buses and taxis at the moment and provides a new pedestrian level route which will provide a calmer and quieter place for the benefit of all users. The proposal is to include two modern lifts and accompanying stairs which will then lead down to a modern new taxi rank

which will be more accessible for wheel chair users to board. There is also a route along new Station Street and then back down Bishopgate which totally avoids the lifts, however those people who do travel independently are provided with assistance from Network Rail that assistance will continue to be provided to the location of the new taxi rank.

The development does allow the scheme to have flexibility to allow vehicles to go onto New Station Street by exception, but it is worth noting there will be negative accessibility implications if the scheme was to be built to then accept taxis on by exception, this would be an operational matter which could be discussed in further detail. It is understood that only 2% of all users use this taxi rank, 98% use other modes, that 98% will include a lot of disabled people.

In summing up Mr McConaghy said the project will see a number of benefits for disabled people which are listed in the documentation submitted, we fundamentally believe that this proposal meets the development needs and NPPF Core Strategy and Accessibility requirements

Questions to Mr McConaghy

- 98% of passengers use other modes of transport, how many of that number would use motor vehicles which would no longer be able to access that location
- The relocation of the taxi rank and the change in levels is the fundamental issue that appears to cause discrimination, why are disabled people being discriminated against
- What proportion of people who use the station have luggage
- What happens if the lifts break down

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

- Private vehicles were currently not allowed on New Station Street but could drop off at Princess Exchange to the rear of the station and there is also the multi storey car park and short stay car park but the drop off and pick up at Princes Exchange is problematic and that is to be addressed
- The fundamental premise of the scheme is to take away as much traffic as possible from New Station Street to accommodate the numbers, none of the benefits of the scheme can be achieved without removing traffic; Buses and taxis. New routes and lifts will all meet current best practice, this situation is not ideal but it is common in the rail industry
- Currently that data is not available but it may be possible for Network Rail to provide
- The proposal is for two lifts, side by side which would be managed by Network Rail and work continually. In the event of both lifts breaking down an alternative level route is provided

Question to Officers

- If the proposal goes ahead all buses would be taken off new station street, how soon would new changes be implemented
- Could the provision of a ramp be considered, some disabled people preferred not to use lifts
- Had the taxi trade been consulted on the proposals
- What were the hours of use for the cycle hub
- How is the projected increase in passenger numbers affected by the Covid 19 pandemic
- Why is Concordia street a taxi feeder rank and will residents in Concordia Street be consulted on the proposals
- Does the location of the anti-terrorism bollards have to comply with specific Government guidance
- Is the size of the space on New Station Street similar in scale to the Kings Cross Station entrance that members have visited

In responding Officers said:

- The number of bus services affected by the proposal would be small. Phased changes would be implemented over a period of time to minimise disruption to services. It is planned to deliver the changes by 2022 to tie in with the station entrance works.
- A ramp could be considered but such a ramp would take up a lot of space on New Station Street
- It was confirmed that the taxi trade had been consulted and comments had been received
- The hours of use for the cycle hub would be tailored to meet need
- It is predicted that rail passenger numbers will be back to current levels in 2 years
- The taxi rank at Concordia street is not a firm proposal and residents will be consulted if this aspect is to be progressed
- The bollards have to be set far enough away to prevent a vehicle strike to the building
  The size of New Station Street provides less space than the Kings Cross Station entrance

In offering comments Members raised the following issues:

- The vast majority of Members were supportive of the need to address the current issues with the station and the positive environmental and sustainable aspects of the scheme but recognised further discussions were required in terms of level access to the taxi rank
- Some Members expressed disappointment at the possible lack of engagement with Disabled Groups, the lack of consideration of the appearance and design of the new entrance, the lack of a level access to the taxi rank and the adverse impact on bus services and therefore were not prepared to support the proposal
- One Member strongly objected to provision of a taxi feeder rank on Concordia Street

In summing up the Chief Planning Officer recognised the proposals needed to address a complex range of challenges including the need to accommodate a predicted increase in passenger numbers; provide an attractive and accessible entrance to a key public transport and access point to the City; to provide and encourage more sustainable modes of transport.

It was moved and seconded to agree the report recommendation subject to further consideration of providing a ramped access solution from the station entrance to the proposed taxi rank.

Upon being put the vote the motion was carried by a majority vote.

The Chair thanked all parties for their attendance and participation

RESOLVED –

(i) That Application No. 20/02048/FU be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report (and any others which the Chief Planning Officer considers appropriate) and following further discussions with the developer concerning access issues, in particular the provision of level access to the taxi rank on New Station Street

(ii) That Application No. 20/01996/LI (Listed Building Consent) be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report

10 Date and Time of Next Meeting

RESOLVED – To note that the next meeting will take place on Thursday, 6th August 2020 at 1.30pm (Remote Meeting)