

PLANS PANEL (WEST)

THURSDAY, 3RD FEBRUARY, 2011

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, D Congreve,
M Coulson, J Harper, T Leadley,
J Matthews, P Wadsworth and R Wood

97 Declarations of Interest

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Councillors Akhtar, Congreve and Taggart – Application 10/04697/FU 19 Hyde Park Corner – declared personal interests as the applicant was known to them (minute 104 refers)

98 Apologies for Absence

Apologies for absence were received from Councillors Chastney and Hardy. The Panel welcomed Councillor D Congreve as substitute for Councillor Hardy

99 Minutes

RESOLVED – That the minutes of the previous meeting held 6th January 2011 be agreed as a correct record

100 Matters Arising

Greenfield land appeals – The Head of Planning Services reported on the outcome of recent appeals decisions. Members considered the implications for the Council particularly with regard to the award of costs and the current policy that Brownfield land should be developed before Greenfield sites
Glassworks – It was reported that this appeal had been allowed. A full report on the Inspectors' comments would be presented to the next Panel meeting

101 Correction to the Signed Minutes of Plans Panel West meeting held 15th July 2010

The Assistant Chief Executive (Corporate Governance) submitted a report seeking Members approval for a correction to be made to the minutes of the Plans Panel West meeting held 15th July 2010

RESOLVED – That Panel agree to authorise the Assistant Chief Executive (Corporate Governance) to amend the minutes of the meeting held 15th July 2010 to include: "It was noted the *Panel* would prefer to delete the petrol station from the scheme as this would improve connectivity with Town Street and preserve buildings in the Conservation Area"

102 Application 09/05553/OT - Outline Planning Application for Residential Development at land off Royds Lane, Lower Wortley, Leeds

The Chief Planning Officer submitted a report on an application seeking outline approval for a residential development on land off Royds Lane, Lower

Wortley. Plans and photographs of the site were displayed at the meeting along with architect's drawings of the proposals. Some Members had visited the site prior to the meeting

Members noted that part of the site lay within employment allocated land, where Policies H4 and E7 were applicable. Officers explained the reasoning behind recommending the release of this land for residential. Officers also reported that contributions would be made to education and substantial highways works. Having assessed the submitted viability impact assessment; the council had agreed with the applicant that it was not viable for them to provide contributions to affordable housing, metrocards or improvements to bus stops. The applicant had however, agreed to a clause within the S106 to ensure that any further profit from the scheme could be allocated to contributions subject to the submission of regular Viability Assessments to the Council for consideration during the build.

The comments of local ward Councillors A and D Blackburn were reported to the meeting. The Panel discussed the following matters:

- The likely number of dwellings and viability of the scheme, bearing in mind the contamination and vegetation on the site
- Whether this remote site was suitable for a wholly residential scheme
- The balance of seeking to encourage development of brownfield sites with concern that there would be no Affordable Housing provided here
- The current level of Affordable Housing required from a site such as this and the likely level of provision required in the future. Members were mindful that the Executive Board was due to take a decision on this issue shortly
- Sustainability of the site in terms of transport links and the distance to the nearest public transport
- Pedestrian access and links to the main roads and city centre. Members expressed concern over the safety aspects of the proposed footpath under the railway bridge

Members were advised of the material differences between a previously approved mixed use scheme on this site and the proposals now before them. The Panel referred to their previous concerns regarding access to this remote site and felt the site would be less suitable for older residents or young families. The Panel noted the guidelines suggested a 400m walk from a residential development to the nearest bus stop was acceptable, whereas this site required a 600m walk. The Panel considered whether this deficit could be overcome by the proposed highways improvements which would provide pedestrian crossings, footpath upgrades

Members also discussed the comment that Wortley in general had a fair amount of lower cost housing and could contributions be more wisely allocated to access and highway works rather than affordable housing. The Chair commented that the footpath should join with the path associated with the Dunlop and Rankin residential development to improve connectivity.

Members remained concerned about the apparent inaccessibility of the site and the reliance on private car journeys for residents, the lack of affordable housing and public transport contributions. The Panel at this point was not minded to support the recommendation to defer and delegate approval to the Chief Planning Officer and were minded to refuse the application.

With that in mind, the Chair allowed Mr Irvine, agent for the applicant to address the Panel who reiterated the applicant was willing to review the Affordable Housing contribution as the scheme was developed and asked that the application be deferred to allow more time to see if the concerns raised by Members could be overcome. He highlighted efforts made to market the previous scheme. Having regard to those comments, Members remained keen to ensure critical issues of access and public transport links were considered further and

RESOLVED – That determination of the application be deferred to allow time for further negotiations with the applicant on issues of

- Affordable Housing
- Public Transport
- Public safety

103 Application 10/04879/EXT - extension of time period for planning permission 07/03002/FU (Part 3 and Part 4 storey block comprising 16 two bed flats and 1 studio flat with 19 car parking spaces) - former Kirkstall Hill Community Centre, Eden Mount, Kirkstall

Members considered the report of the Chief Planning Officer setting out an application seeking an extension of time to implement permission 07/03002/FU for the development of flats on the site of the former Kirkstall Hill Community Centre.

Plans and photographs of the site were displayed along with architects drawings of the proposals. Members visited the site prior to the meeting.

The concerns of local ward member Councillor Illingworth relating to the loss of available greenspace were reported to the meeting. Officers stated the key issue to consider was whether there had been any material change in circumstances since permission 07/03002/FU had been granted. Officers considered that even though an adjacent site had since been developed for social housing, there were still two substantial areas of greenspace within walking distance of this development site.

Officers reported the necessary legal agreement had not yet been submitted by the applicant and requested an amendment to the recommendation included within the report

RESOLVED – That the application be approved in principle and be deferred and delegated to the Chief Planning Officer for final approval subject to the conditions specified in the report and the signing of the Section 106 Agreement to cover provision of a commuted sum of £28,288 to fund off-site greenspace improvements

104 Application 10/04697/FU - Change of use of vacant shop (Use Class A1) to financial and professional services (Use Class A2) at 19 Hyde Park Corner, Woodhouse, LS6 1AF

The Chief Planning Officer submitted a report setting out a reason to refuse an application for the change of use of a vacant shop at 19 Hyde Park Corner, LS6 to an A2 financial professional services use. Plans and photographs of the site were displayed at the meeting. Members had visited the site prior to the meeting.

The Panel discussed the viability of this secondary shopping frontage and noted that only 3 of the 8 units were currently in use as retail. Officers reported the comments of local ward Councillors G Harper and P Ewens and Members commented that they would wish to see this unit back in use, but not as a letting agency unit. The Panel were advised that it would not be possible to condition against the future use of this unit as a letting agent within the A2 Use Class

RESOLVED – That the application be refused for the following reason:

The Local Planning Authority considers that the proposed use of the premises would further contribute to the proliferation and dominance of non-retail uses within this shopping parade and the wider Hyde Park Centre. This is considered to result in a significant impact, both individually and cumulatively, on the retail vitality and viability of this parade of shops and the wider defined district centre. The scheme is therefore, considered contrary to policies GP5 and SF8 of the Unitary Development Plan and the national planning guidance contained within PPS1: Delivering Sustainable Development and PPS4: Planning for Sustainable Economic Development.

105 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 3rd March 2011