

PLANS PANEL (WEST)

THURSDAY, 18TH AUGUST, 2011

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, M Coulson, K Groves,
J Harper, T Leadley, J Matthews,
P Wadsworth, R Wood, R Pryke and
R Grahame

22 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officer to introduce themselves for the benefit of the public who were in attendance

23 Late Items

There were no formal late items, however the Panel was in receipt of the following additional information to be considered at the meeting:

Application 11/02021/FU – Headingley Carnegie Stadium LS6 – written representation from an objector (minute 28 refers)

Application 11/00897/RM – Stonebridge Lane LS12 – written representation from Councillor A Blackburn and photographs (minute 34 refers)

Application 11/01561/FU – Ings Cottage Priesthorpe Road LS28 – written representation from an objector and photographs (minute 37 refers)

Pre-application presentation – Mill Lane/Bridge Street Otley LS21 – photographs, graphics and written information submitted by the proposed applicants (minute 38 refers)

24 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:

Application 11/02012/F – Headingley Carnegie Stadium LS6:

Councillors Akhtar and Matthews declared personal interests as the report referred to comments made by the North West Inner Area Committee planning sub committee which were subsequently discussed at the NW Inner Area Committee and confirmed that they had not taken part in those discussion and had informed the Area Committee of their likely future involvement in the decision making on proposals for the South Stand as Members of the Plans Panel West (minute 28 refers)

Application 11/01400/EXT – Kirkstall Forge:

Councillor Coulson declared a personal interest through being the Chair of the Integrated Transport Authority Scrutiny Board which had

considered the issue of the proposed Kirkstall railway station, which was an integral part of the proposed development (minute 33 refers)

Councillor Leadley declared a personal interest as he stated that comments he had made regarding Leeds' bid for NGT and its impact on the proposed railway station at Kirkstall Forge had been reported in the press (minute 33 refers)

Councillor Harper declared a personal interest through being a member of West Yorkshire Integrated Transport Authority as Metro had commented on the application (minute 33 refers)

Application 11/00897/RM – Stonebridge Lane LS12 – Councillor Harper declared a personal interest through being a member of West Yorkshire Integrated Transport Authority as Metro had commented on the application (minute 34 refers)

25 Apologies for Absence

Apologies for absence were received from Councillor Hardy who was substituted for by Councillor R Grahame and from Councillor Chastney who was substituted for by Councillor Pryke

26 Minutes

RESOLVED - That the minutes of the Plans Panel West meeting held on 21st July 2011 be approved

27 Appeal Decisions - Leeds Girls High School Headingley Lane LS6

Further to minute 13a of the Plans Panel West meeting held on 21st July 2011, where Panel received a verbal update on the appeal decisions in respect of applications at the former Leeds Girls High School site, Members considered a report of the Chief Planning Officer summarising the main findings of the Planning Inspector following the lodging of appeals by the applicant against non-determination

Plans and photographs were displayed at the meeting

Officers presented the report and outlined the decisions on the five applications

Members were informed that the Inspector's decisions accorded with those which the Panel indicated at the meeting on 14th December 2010 that they would have taken had they been in a position to do so

The key issues from the appeal decisions were the Inspector's view that the principle of a housing development on the site was acceptable and that there were no planning reasons to refuse on the basis of Leeds UDP Policy N6 (protection of playing pitches) or PPG17 (protection of open space on health grounds). However, Members were informed that any future scheme would need considerable revisions from that previously submitted to address the Inspector's concerns and was likely to result in less development on the site

Members stated that the outcome largely endorsed the Panel's view and that Members had worked through the opposing views of Officers and the applicant to reach an appropriate outcome on this sensitive site. The Chair

thanked Councillor Janet Harper who had chaired the discussions on this item and in turn, Councillor Harper thanked Officers for the help and guidance she had been given on this matter

RESOLVED - To note the report

28 Application 11/02021/FU - Demolition of the existing south stand and supporters club and erection of a replacement covered spectator terrace with associated facilities for food and drink concessions, stores, car parking and turnstiles - Headingley Carnegie Stadium St Michael's Lane LS6

Further to minute 15 of the Plans Panel West meeting held on 21st July 2011 where Panel considered a position statement for the redevelopment of the south stand and supporters club at Headingley Carnegie Stadium, the Panel considered the formal application

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

Officers presented the report and stated that in response to concerns by Panel, a noise survey had been carried out which had been considered by the Environmental Protection Team who were of the view that the proposals would not lead to increased noise and could lead to an improvement in the current situation due to the design of the proposed stand. On this matter, Officers requested that condition No 20 in the submitted report relating to a sound insulation scheme should be deleted as this was not an appropriate condition for an open-air venue

A recent visit to the stadium to see how it functioned on match days had been made by Officers who reported that the gates opened 3 hours prior to kick-off, with entertainment being provided before the match and a gradual build up of spectators during that time. There had been no visible congestion outside the ground or around the turnstiles. The provision of a match day traffic and parking management plan would be conditioned and would include the requirement for closing the bridge on St Michael's Lane 30 minutes before and after kick off to address safety concerns. The possibility of providing shuttle buses to and from the stadium would also be addressed in the traffic management plan

Officers reported the receipt of two further letters of objection, one which raised new issues in respect of sustainable solutions

The Panel heard representations from the applicant's agent and two objectors who attended the meeting

Members commented on the following matters:

- the public consultation which had been carried out, with concerns being raised that the scheme submitted for approval was higher than that consulted upon
- the height of the stand, particularly the roof height; the justification for this and whether an engineering solution could be considered to address the legal requirements linked with stadiums and the desire to provide all spectators with a good view of the pitch

- that the location of the stadium, adjoining housing, meant that a balanced approach was needed taking into account the impact on residents as well as the needs of spectators
- that whilst people would arrive at the stadium over a long period of time, they would leave together and that the additional capacity had to be catered for in terms of highways
- the need for residents to be fully informed when the bridge on St Michael's Lane was to be closed
- the level of seating for provision for people with disabilities
- that the orientation of the speakers on the stadium were towards the nearby houses and that this should be reconsidered

Members considered how to proceed

RESOLVED - That the application be approved subject to the conditions set out in the submitted report and subject to the deletion of condition No 20

(Under Council Procedure Rule 16.5, Councillor Leadley required it to be recorded that he voted against the matter)

29 Application 11/02338/FU - Two bedroom detached house to garden site (amendment to previous approval 11/00639/FU for detached house incorporating single storey front and side extensions) - 5 Caythorpe Road, West Park, LS16

Further to minute 131 of the Plans Panel West meeting held on 31st March 2011 where Panel approved an application for a two bedroom detached house to garden site, the Panel considered a report seeking approval for amendments to the scheme to include front and side extensions

Plans, photographs and drawings were displayed at the meeting

Officers presented the report and stated that the proposed front bay would add interest and respect the character of the streetscene. The side porch would be set back by 3 metres so would not appear subordinate to the main house

Despite the receipt of three letters of objection, Officers were of the view that the proposals raised no amenity issues and were recommending approval to Panel

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

30 Application 11/02289/FU - 4 bedroom detached house to land adjacent to 3 Hillcrest Rise, Cookridge, LS16

Plans, including those relating to the extant permission, photographs and drawings were displayed at the meeting

Officers presented the report and outlined the changes to the current scheme, for Members' consideration

The proposals were now wider than those of the fall-back position as the garage was now to be integral. Extensions to the back and forward projecting element were also proposed

Members were informed that objections had been received from local residents and two Ward Members regarding scale, projection, highways and impact on visual amenity

The Panel heard representations from an objector who attended the meeting

RESOLVED - That the application be granted subject to the conditions set out in the submitted report and a further condition requiring the levels to be submitted and agreed

31 Application 11/02420/FU - Two dormer windows to rear and lightwell to front at 53 Ash Grove, Headingley, LS6

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

Officers presented the report which sought permission for two dormer windows to the rear and a lightwell to the front at 53 Ash Grove LS6 which was situated in the Headingley Conservation Area

The property was a house in multiple occupation but Members were informed that if approved, the proposals would not result in an increase in the number of bed spaces in the property. The provision of small dormer windows to the rear would provide better use of the roof and the basement alterations would provide a larger kitchen/dining area, with the existing kitchen to become a utility room

The number of properties in the immediate area with dormers was noted

If minded to approve, further conditions to prevent the basement from being converted to a habitable room and submission of further details of the lightwell were suggested

RESOLVED - That the application be granted subject to the conditions set out in the submitted report and additional conditions preventing conversion of the basement to a habitable room and the submission of further details of the lightwell

(Under Council Procedure Rule 16.5, Councillor Matthews required it to be recorded that he abstained from voting on the matter)

32 Application 10/04068/OT, Clariant Site, Horsforth and Application 10/04261/OT, Riverside Mills, Horsforth - residential developments

Further to minutes 126 and 127 of the Plans Panel West meeting held on 31st March 2011 where Panel resolved to refuse planning permission for residential development on the former Clariant site and Riverside Mills site at Horsforth LS18, Panel considered a further report of the Chief Planning Officer

Plans were displayed at the meeting

Members were informed that the refusals had been appealed and that the Secretary of State had called in both appeals and these were scheduled to be heard together at an 8 day Public Inquiry in November 2011

The report before Panel sought to update Members on the continuing discussions between Officers and the applicants ahead of the preparation of a

Statement of Common Ground. Arising from these discussions revisions had been proposed by the applicants which could impact on some of the reasons for refusal agreed by Panel, with these being contained within the report before Members

Revisions relating to reason No 5 (Calverley Lane North footway/cycleway) were outlined, with a wider ie 2m – 2.5m wide joint footway/cycleway being proposed; this being considered to be acceptable. This would also remove that element of reason No 2 – sustainable transport which related to cyclists

The VISSIM model – reason No 6 - had been given further consideration with Highways now of the view that the model was fit for purpose to undertake the traffic modelling

In terms of the travel plan some agreement had been reached on modal splits, targets, form and monitoring to enable this element of reason No 3 to be agreed

Concerns were raised that the agreements which had been reached justified the view taken by some Members that refusal of the application had been premature and that further negotiations could have taken place, so possibly avoiding a lengthy Public Inquiry

RESOLVED - That following refusal of both applications at Panel on 31st March 2011 and submission of subsequent appeals, to support a case at Public Inquiry which does not contest reasons for refusal 5 and 6 of both appeals and elements of reasons for refusal 2 and 3 of both appeals

(Under Council Procedure Rule 16.5, Councillor Coulson and Councillor Leadley required it to be recorded that they abstained from voting on these matters)

33 Application 11/01400/EXT - Proposed mixed use development at Kirkstall Forge, Kirkstall, LS5

Further to minute 150 of the Plans Panel West meeting held on 25th May 2011 when Members considered a position statement on an application for an extension of time for the outline approval of a major mixed-use development at Kirkstall Forge, the Panel considered the formal application. Appended to the report were copies of the previous reports considered by Panel on 26th January 2006 and 20th April 2006

Plans and graphics were displayed at the meeting

Officers presented the report which sought an extension of time of 15 years for the submission of reserved matters, amendments to some of the original conditions as set out section 10 of the submitted report and an amendments to the S106 Agreement to provide additional funding for the train station; the development being predicated on the delivery of a new railway station on adjoining land

Members were informed that the provision of a railway station to serve the site was being considered by the Department for Transport (DfT) but that due to the Government's Comprehensive Spending Review, no decision had yet been reached on this. Local MPs had been lobbying for the station and Metro were to contribute a further £1.3m towards this, with the developer matching this funding. Officers stated that allowing for an additional £1.3

million funding for the train station as part of a revised S106 (on top of Metro's additional £1.3 million) would offer the DfT certainty over the increased proportion of local funding. The final decision on a railway station at Kirkstall was expected from the DfT in December 2011

To off-set the increased funding for the railway station, a reduction in the level of other planning contributions, which included affordable housing, would be necessary. Recession proof clauses would apply for the reassessment of viability and that a revised capped contribution of £9.9m (minimum) to £13m (maximum) would be provided as planning contributions, with Members being informed that it would be for Panel and Ward Members to consider how the final sum would be spent

The mix of proposed uses shown on the original illustrative layout were not viable in the current climate and a revised mix would be brought to Panel as part of Reserved Matters applications

Officers sought amendments to the recommendation before Panel requiring the deletion of the reference to Horsforth roundabout in relation to off-site highway works, the option of the alternative provision of up to 50 dwellings on site in phase 1 and a condition requiring the submission of an updated otter survey. Officers explained further that section 106 monies, other than for the railway station, would come well into the construction phase and that to maintain flexibility at this stage it was more sensible to refer to off site highway works rather than be specific as the need for works would depend on the situation at the time

The Panel heard representations from Councillor Illingworth as a Ward Member for Kirkstall Ward and from the developer who attended the meeting

Members discussed the application and commented on the following matters:

- the importance of a railway station to the scheme
- the length of time discussions had been ongoing on the site, with concerns that Panel Members may not be fully aware of the current situation, particularly the proposed mix of uses for the site, due to the passage of time
- that the experience of the Chair as a Ward Member for Bramley and Stanningley was that liaison, communication and consultation with the developer had been good

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the same conditions as planning permission 24/96/05/OT (with the exception of revisions to conditions 11, 12 and 14 and deletion of condition 13 as set out in the submitted report), an additional condition requiring an updated otter survey and a variation to the original Section 106 Agreement to include:

- recession proof clauses for reassessment of viability
- a revised capped contribution of minimum £9,973,071 and maximum of £13,009,606 (index linked) towards the train station, affordable housing, primary and secondary education, off-site highway works, footpath/cycleway links to Kirkstall Abbey and the canal towpath, Travel Plan monitoring and community benefits
- commitment to phase 1 (comprising road/bridge infrastructure to serve the train station and either 100,000 sq ft of office and 10,000 sq ft of supporting retail or temporary car park to serve station or up

to 50 residential dwellings on site) within the life of the original outline

- revisions to the original triggers for payment of the commuted sums to allow for early funding of the train station and commercial development in the first phase

34 Application 11/00897/RM - Reserve Matters application for laying out of access road and erection of supermarket with car park - Stonebridge Lane, Wortley, LS12

Plans, photographs, drawings and graphics were displayed at the meeting

Officers presented the report which sought approval for Reserved Matters relating to the supermarket only

Details of the proposed boundary treatments to the retaining wall at the rear of the site were provided

Officers reported the receipt of further representations, these being:

- two objections relating to loss of wildlife
- a petition of 670 signatures objecting to the proposals
- six letters of support
- a petition of 43 signatures supporting the proposals

Councillors Anne and David Blackburn had objected to the application, with Councillor A Blackburn requesting a reduction in delivery hours, if the application was to be approved

A further condition regarding details of the design of gullies to enable toads to cross the road was requested

The Panel heard representations from the applicant's agent and an objector who attended the meeting

Members discussed and commented on the following matters:

- the terms of the outline permission which meant that a supermarket could be built without triggering the full restoration of the Listed Buildings on the site
- that the S106 Agreement in place did not comply with latest guidance and the possibility of refusing the application and seeking to re-negotiate the whole scheme
- that a supermarket would provide employment opportunities for the area
- concern that the images circulated on behalf of an objector were undated and were capable of being misinterpreted
- that the provision of a sedum roof on the supermarket to enhance the view from nearby residences should be considered
- the delivery hours and that those requested of 7am – 10pm could not be supported due to the close proximity of the servicing area to existing dwellings

RESOLVED - That the application be granted subject to the conditions set out in the submitted report, an amendment to the hours of delivery, these to be 7am – 8pm Monday to Saturday and no deliveries on Sundays or Bank Holidays and an additional condition requiring the submission of details for measures to enable toads to cross the road

35 Application 11/01656/FU - Change of use of solicitors' office to hot food takeaway including flue to rear - 23-25 Station Road, Horsforth, LS18

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought permission for a change of use of 23-25 Station Road Horsforth from an A2 (office) use to an A5 (hot food takeaway) to provide a fish and chip shop

Members were informed that a previous application at the premises for a fish and chip restaurant with takeaway counter had been refused for reasons which included a lack of adequate parking provision. The current application provided a revised parking layout, including a disabled person's parking space and as the restaurant element had been removed from the proposals, Highways Officers were now satisfied with the application

A condition would be included to prevent the re-letting of the upper floor of the premises and whilst Environmental Health had raised some concerns about the proposal, Officers considered these to be speculative

Panel discussed the application and commented on the flue for the premises and parking issues with concerns that the application could have a detrimental impact on parking on Station Road

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

36 Application 11/00903/FU - One detached house to replace existing bungalow at 16 Woodhall Croft, Stanningley, LS28

Plans, photographs and drawings were displayed at the meeting.

Consideration of the application had been deferred from the previous meeting to enable a site visit to take place, which had occurred prior to the meeting

Officers presented the report which sought approval for the replacement of the existing, vacant bungalow with a detached house which in design, took some references from the surrounding 'chalet- style' properties

The proposal resulted in a wider property than existing but revisions had reduced the bulk of the proposal, which was now considered acceptable by Officers. The existing garage would be removed with parking to be on the forecourt

Members were informed that the main issues of the application related to visual appearance within the streetscene and impact on surrounding properties

The Panel heard representations from an objector who attended the meeting

RESOLVED – That the application be granted subject to the conditions set out in the submitted report and an additional condition requiring submission of levels

37 Application 11/01561/FU - Front extension to toddler care centre - Ings Cottage, Priesthorpe Road, LS28

Plans and photographs were displayed at the meeting

Officers presented the report which sought retrospective approval for a porch to the front of a day nursery at Ings Cottage, Priesthorpe Road Pudsey

Members were informed that the porch which had been intended as part of an application for an extension to the premises in 2010 had been missed off the approved plans in error, with the report indicating that discrepancies in the approved drawings would seem to support the applicant's claim that a layer of detail on the computer-generated plans had not printed correctly

A correction to an error in the report which referred to Wadlands Rise but should read Wadlands Drive was made

The Panel heard representations from the applicant and an objector who attended the meeting

RESOLVED - That the application be granted

38 Pre-application Presentation - Proposed 60 bed residential care home following the demolition of existing vacant building - Mill Lane/Bridge Street, Otley

Plans, photographs and artist's impressions were displayed at the meeting

Panel considered a report of the Chief Planning Officer on proposals for a residential care home at Mill Lane/Bridge Street Otley on a site of a former school which would be demolished as part of the proposals

Members received a presentation on the proposals by representatives of the applicant

The site which was in a Conservation Area was close to local facilities and the river

The proposals were for a two storey stone and slate building which was sensitive to its surroundings and in terms of design, had taken references from the local vernacular

The care home would provide 60 single en-suite rooms for people with dementia. The applicant was a specialist in dementia care; recognised the complex needs of people with this illness, provided a wide range of diversional activities and had consistently received excellent reports for the quality of the care provided

As well as daily outings for residents, which would maximise the surrounding open areas in the town, a hydrotherapy pool was proposed which was an unusual feature of a care home

The proposals would also provide opportunities for local employment

Positive meetings had taken place with Officers and information in respect of flood risk had been submitted to the Environment Agency

Consultation on the proposals had been undertaken with leaflets being distributed to a wide area. Ward Members had been consulted, information had been placed in Otley Library and on the site, with a website being established to enable comments to be submitted online

Officers read out comments received from Councillor Campbell who whilst supporting the demolition and redevelopment in principle had raised issues relating to design, scale, parking and access and stated the need for a high quality scheme on the site

The following comments were made by Panel:

- whether couples could be accommodated and in double rooms
- the proximity of the site to the river and the need to ensure residents' safety
- the location of the assembly point in the event of a flood emergency
- the residential properties on Manor Street; the need for the relationship between these houses and the care home to be addressed and the interests of all residents to be considered
- if planning permission was granted, the likely timescales for commencement of the development
- whether there was a commitment to develop the site or whether it would be landbanked

The following responses were provided:

- that some Local Authorities did not allow double rooms, preferring couples to occupy two single rooms with one possibly being used more as a sitting room
- that the boundary of the site would be secured by fencing and that nobody would be allowed by the riverside unaccompanied
- that the emergency assembly point was at the north of the site and was located above the floodplain
- that issues around the proximity of the houses on Manor Street were being considered, particularly in terms of overlooking
- that if the application was approved, work on the tendering process for the building contracts would commence immediately
- that there was a commitment to build on the site and that financially it was not an option to landbank the site

RESOLVED - To note the report, the presentation and the comments now made

During consideration of this matter, Councillor Harper left the meeting

39 Date and Time of Next Meeting

Thursday 15th September 2011 at 1.30pm in the Civic Hall Leeds