



SOUTH AND WEST PLANS PANEL

Meeting to be held in on
Thursday, 10th January, 2013
at 1.30 pm

MEMBERSHIP

Councillors

J Akhtar	J Bentley	P Wadsworth	R Finnigan
M Coulson		R Wood	
C Gruen			
J Harper (Chair)			
C Towler			
P Truswell			
J Walker			

**Agenda compiled by:
Andy Booth
Governance Services
Civic Hall
Tel: 0113 24 74325**

AGENDA

Item No	Ward	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>No exempt items or information have been identified on the agenda</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
4			<p>DECLARATIONS OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES</p> <p>Minutes of the meeting held on 6 December 2012</p>	3 - 10
7	Headingley		<p>APPLICATION 12/04557/FU - HEADINGLEY CARNEGIE STADIUM, ST MICHAEL'S LANE, HEADINGLEY, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the temporary change of use of cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for period of two years.</p>	11 - 20
8	Hyde Park and Woodhouse		<p>APPLICATION 12/04984/FU - ASH GROVE SOCIAL CLUB, 16 ASH GROVE, HEADINGLEY, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an application for the change of use of ground and first floor social club to form four flats; alterations including new windows, associated parking and landscaping.</p>	21 - 28
9	Morley North		<p>APPLICATION 12/03346/OT - BRADFORD ROAD, GILDERSOME, LEEDS</p> <p>To receive and consider the attached report of the Chief Planning Officer regarding an outline application for residential development with means of access.</p>	29 - 38

Item No	Ward	Item Not Open		Page No
10			DATE AND TIME OF NEXT MEETING Thursday, 28 February 2012 at 1.30 p.m.	

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To:

Members of Plans Panel (West)
Plus appropriate Ward Members and
Parish/Town Councils

Chief Executive's Department
Democratic Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Andy Booth
Tel: 0113 247 4325
Fax: 0113 395 1599
andy.booth@leeds.gov.uk
Your reference:
Our reference: ppw/sitevisit/
2011

Dear Councillor

SOUTH AND WEST PLANS PANEL – SITE VISITS – THURSDAY, 10 JANUARY 2013 AT 1.30 pm

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 **On site 10.25 - Application 12/03346/OT** - Change of use of ground floor and first floor of social club to form four flats; alterations including new windows, associated parking and landscaping – Ash Grove Social Club, 16 ash Grove, Headingley - **Leave 10.35 am** (if travelling independently meet at entrance to site on Ash Grove).
- 2 **On site 10.40 - Application 12/04557/FU** – Temporary change of use of Cricket Stadium and Educational facilities to accommodate up to 3 music concerts per calendar year for a period of 2 years – Headingley Carnegie Stadium, St Michaels Lane, Headingley. - **Leave 11.00 am** (if travelling independently meet at St Michaels Road entrance).

On Site 11.30 – Application 12/03346/OT – Outline Application for residential development with means of access – Bradford Road, Gildersome – **Leave 11.40am** (if traveling independently meet on Bradford Road).

Return to Civic Hall at 12.00 p.m. approximately

A minibus will leave the Civic Hall at 10.05 am prompt. Please contact Steve Butler Area Planning Manager (West) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 10.00 am

Yours sincerely

Andy Booth
Governance Officer

www.leeds.gov.uk

switchboard : 0113 222 4444
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INVESTOR IN PEOPLE

SOUTH AND WEST PLANS PANEL

THURSDAY, 6TH DECEMBER, 2012

PRESENT: Councillor J Harper in the Chair

Councillors J Akhtar, J Bentley, M Coulson,
R Finnigan, C Gruen, P Truswell,
P Wadsworth and R Wood

30 Declarations of Disclosable Pecuniary and other Interests

Councillor P Wadsworth declared a personal interest in Agenda Item 10, Rawdon Service Station, Apperley Lane, Rawdon as he had previously been involved in negotiations with the developer and also in Agenda Item 11, Leeds Bradford International Airport – Monitoring Report as he was a member of the Airport Consultative Committee.

Councillor R Wood declared a personal interest in Agenda Item 12, Former Prestige Car Sales Centre, Town Street, Stanningley Leeds as he knew the owner of the property.

31 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors C Towler and J Walker. Councillor D Congreve was in attendance as substitute for Councillor C Towler.

32 Minutes - 8 November 2012

RESOLVED – That the minutes of the meeting held on 8 November 2012 be confirmed as a correct record.

33 Application 11/03820/FU - Stonebridge Mills, Stonebridge Lane, Wortley

The report of the Chief Planning Officer introduced an application for the laying out of an access road and to erect a retail foodstore with service yard, covered and open car parking and landscaping at Stonebridge Mills, Stonebridge Lane, Wortley.

Members were shown site plans and photographs.

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

- Previous planning history of the site.
- Proposed extension to ring road and introduction traffic light junctions.
- Landscaping plans – this scheme provided more scope for landscaping than the previous scheme proposed.

- Proposed use and restoration of listed buildings.
- The proposals were for a store that would have 4,709 square metres of floor space selling approximately 67% consumer goods and 33% comparison goods. It was felt that this could have an adverse impact on Armley Town Centre.
- Members were made aware of letters of objection made regarding the application.
- It was recommended to refuse the applications. Details for this were outlined in the report.

The applicant's representative addressed the meeting. The following issues were highlighted:

- The proposed scheme would bring listed buildings back into use and provide affordable housing.
- The scheme would create up to 400 jobs.
- There was no indication that a supermarket was to take the opportunity to operate from Armley Town Centre.
- Local people currently had to travel to stores with a significant non-food offer and it was felt that these proposals would not have an adverse impact elsewhere.

The Chairman of a local campaign group addressed the Panel with objections to the application. These included the following:

- Increased traffic on the ring road and impact on pedestrians.
- Impact on small businesses in the area.
- The size and mass of the store.
- Environmental impacts – noise pollution and increased carbon footprint.
- Detrimental effect on the Armley Town Centre plan.
- Potential flooding problems.

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

- There was not any known interest in the use of the listed buildings for heritage purposes.
- The Council's retail consultant reported that should a store of this size be approved at Stonebridge Mills, it was unlikely that someone else would invest in the opportunity at Armley Town Centre.
- There was discussion with two national operators regarding the possibility of a store in Armley. Nobody had yet signed up.

RESOLVED – That the application be refused as per the officer recommendation.

34 Application 12/04246/FU - Sukothai, 4 St Annes Road, Headingley

The report of the Chief Planning Officer introduced an application for a part two storey, part single storey rear extension with relocation of flue and condenser units and addition of access ramp at the front at Sukothai Restaurant, 4 St Anne's Road, Headingley.

Members were shown photographs and plans of the site.

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

- A previous application had been refused due to the lack of car parking in the area.
- Planning permission had now been given for a pay and display car park opposite the premises.
- A joint arrangement was held between the Applicant and the Car Park Operators.
- It was recommended that the application be approved.

In response to Members comments and questions potential conditions for the storage of bins and limiting the number of covers were discussed.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report and two additional conditions to ensure provision and retention of the bin storage area and to ensure that there shall be a maximum of 100 covers within the restaurant.

35 Application 12/03537/FU - Pool Court Arena, Pool Bank, New Road, Pool in Wharfedale

The report of the Chief Planning Officer introduced an application for an office extension to stables and new outdoor riding area at Pool Court Arena, Pool Bank New Road, Pool in Wharfedale.

Members were shown plans and photographs of the site.

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

- Vehicular access to the site was highlighted.
- It had not been used as an equestrian centre for the previous 12 years.
- There were no grounds for refusal for re-use as an equestrian centre.
- The site had recently been used for sheep grazing.
- Objections to the application had included concerns regarding noise disturbance and highways safety issues and the application had been referred to the Panel at the request of a local ward member.
- It was recommended to approve the application.

A local Ward Councillor addressed the Panel. The following issues were highlighted:

- Concern regarding highways safety at the junction on Pool Bank Road.

- Concern regarding noise and light pollution.
- It was felt that the Panel should have visited the site prior to determining the application.

It was reported that the applicant had offered to include some buffer tree planting as a noise barrier and the only lighting would be low level security lights. There was also an offer to build in passing places for vehicles on the access road. The applicant's representative addressed the meeting and highlighted the following issues:

- There would be no external floodlighting.
- The horse area would only be used during the daytime.
- Landscaping by condition would provide screening from local residents.
- Larger vehicles tended to use the alternative access from Pool Bank Road.

In response to Members comments and questions options for the right hand turn into the access road from Pool Bank Road. Potential enforcement measures, speed limits and signage were also discussed.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer subject to further discussions to restrict the size and or weight of vehicles allowed to enter and off Pool Bank Road and to look at the possibility of a right turn ban from Pool Bank Road into access or white lining to improve the turning circle. Ward Members to be consulted on final proposals. Proposal to be brought back to Panel only if agreement cannot be reached with Ward Members.

36 Application 12/04516/FU - Rawdon Service Station, Apperley Lane, Rawdon

The report of the Chief Planning Officer presented an application for the demolition of the existing service station and redevelopment to provide a new petrol filling station comprising of canopy/forecourt, sales building with ATM, underground storage tanks and car parking.

Members were shown plans and photographs of the site.

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

- The proposed retail facility was not considered to be of harm to neighbouring shopping areas. There was a substantial shortfall of shopping space in the area.
- Reference to objections to the application on the grounds of impact on local businesses, traffic concerns and loss of landscaping.
- It was recommended that the application be approved.

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

- Pedestrian access and the possibility of including a zebra crossing.
- Potential for motorists to use the site as a through road.
- Traffic calming measures.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer subject to discussions to try to secure a pedestrian crossing on the Apperley Lane Arm of the adjacent roundabout and to improve traffic calming within the site to dissuade rat running to avoid the roundabout. Ward Members to agree final proposals or the application be returned to Panel for determination.

37 Leeds Bradford International Airport - Monitoring Report

The report of the Chief Planning Officer provided the Panel with monitoring information on night time aircraft movements, noise levels and air quality at Leeds Bradford International Airport.

It was reported that there had been 8 breaches of the night time noise quotas during the period of monitoring and reasons for these breaches were outlined in the report. 2 complaints had been received from members of the public during the monitoring period. Members were also informed of the potential replacement of the aircraft fleet by Pakistan International Airlines (PIA) which would introduce quieter planes.

RESOLVED –

- (1) That the report be noted in relation to night time movements and noise and air quality.
- (2) That a formal commitment is requested from LBIA and PIA on the introduction of the B777 aircraft for PIA flights and such commitment included details on timescales for implementation of this quieter and more reliable aircraft.
- (3) That a formal procedure is considered that allows notification and justification between Officers and LBIA in relation to PIA flights that arrive late at the airport.
- (4) Despite recent breaches, Members reaffirmed their continued support for the approach of officers in seeking to resolve any future issue of PIA braches by continued dialogue rather than formal action at this stage.
- (5) That Members be updated on these issues and report again on the night time movements, noise and air quality monitoring in six months time.

38 Application 12/03260/FU - Former Prestige Car Sales Centre, 2 Town Street, Stanningley

The report of the Chief Planning Officer presented an application for the change of use and alterations of a former car sales showroom to a retail unit (A1 use) and electrical wholesaler with trade counter (B8 use) at the former Prestige Car Sales Centre, 2 Town Street, Stanningley, Leeds, LS28 6LQ.

Members were shown site plans and photographs of the site.

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

- Since the application was deferred at the October meeting, additional conditions relating to highway safety had been recommended.
- There had been a number of further objections and a 100 signature petition on the grounds of highway safety, impact on existing shops and noise.
- The plans included 5 parking spaces for customers and 6 spaces for staff.
- There was space within the site for large vehicle manoeuvres.
- It was recommended that the application be approved subject to conditions as outlined in the report.

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

- Accidents – it was reported that there had been one recorded traffic accident near the site in the past 6 years. The accident was not connected with the site.
- Concern regarding delivery vehicles and pedestrian safety.
- Alternative solutions for delivery vehicles.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer subject to the loss of one car parking space to access and introduction of some form of segregation of service area from the adjacent footpath. It was also requested that Senior Highways officers be involved in the design.

Councillor R Wood abstained from the voting on this item.

39 Application 12/03599/FU - Low Green Farm, 40 Leeds Road, Rawdon

The report of the Chief Planning Officer introduced an application for a refrigerated chiller extension with car park area and landscaping at Low Green Farm, 40 Leeds Road, Rawdon.

Members were shown photographs and plans of the site and had attended a site visit prior to the meeting.

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

- The application was outside the conservation area.
- Policy would not normally allow development in a green belt area but Members were asked to weigh the benefits of the proposal against this.

- Current arrangements of the applicant meant that stock had to be transferred to a site at South Kirkby.
- The proposals would sustain a viable business and reduce vehicle movements.
- It was proposed to include an acoustic barrier fence.
- Representations had been made regarding the loss of amenity.
- The application was recommended for approval.

A local Ward Member addressed the meeting. He raised concerns regarding a history of non-compliance with planning issues at the site and a lack of enforcement action.

The applicants representative addressed the meeting. He reported that discussions had been held with local residents and an acoustic barrier fence would be installed along the western boundary of the site within six months.

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

- There were currently 12 to 15 visits per week to the site at South Kirkby.
- The proposals would help retain jobs at the site.
- Improved landscaping at the site.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

40 Application 11/02389/FU and Application 11/02390/LI - Cornmill Road, Horsforth

The report of the Chief Planning Officer gave the Panel a position statement on applications for a part two storey and part three storey office block and listed building application to demolish the former cornmill building at Cornmill View, Horsforth.

Members were shown plans and photographs of the site and visited the site prior to the meeting.

Further issues highlighted from the report included the following:

- Members views on demolition of the listed building were sought.
- Members were giving a brief history of planning applications at the site which previously included refurbishment of the listed building.
- The site had been used for storage and there was pollution and flooding issues at the site.
- The applicant had said it was no longer economically viable to sustain the listed building.
- It was not viable to maintain the listed building as a historic site.

- Ownership of the listed building no longer sat with the company that the original application.

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

- Proposed developments would be above the flooding levels.
- The views of civic trusts and societies should be gathered in respect of the listed building.
- Should the listed building be demolished, the use of existing materials should be used in the design of any new building and.
- The poor condition of the listed building – there was a feeling that the only practical solution was for demolition.
- There would need to be a significant amount of parking for office accommodation.

RESOLVED – That the report be noted.

41 Date and Time of Next Meeting

Thursday, 10 January 2103 at 1.00 p.m.



Originator: Mathias Franklin

Tel: 011322 77019

Report of the Chief Planning Officer

PLANS PANEL SOUTH & WEST

Date: 10th January 2013

Subject: APPLICATION 12/04557/FU -Temporary change of use of cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for a period of two years at Headingley Carnegie Stadium , St. Michael's Lane, Headingley, Leeds LS6 3BR

APPLICANT	DATE VALID	TARGET DATE
Yorkshire County Cricket Club	26.10.2012	25.01.2013

Electoral Wards Affected:

Headingley

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT PERMISSION subject to the following conditions:

1. This permission shall expire on or before the 01.01.2015
2. Approval of plans
3. There shall be a maximum of 3 events (an event being a concert held on one day) each calendar year.
4. Events shall be held on Fridays, Saturdays and Sundays only. Events held on Sunday shall only take place when the following Monday is a Bank Holiday.
5. The events shall cease at 2200hrs and the stadium shall be cleared of spectators by 2230hrs.
6. A construction management plan for the erection and dismantling of the stage including delivery times and times for testing the equipment shall be submitted to and approved in writing prior to any event taking place. Construction shall take place in accordance with the approved details.
7. Construction and dismantling of the stage shall only take place between 0800hours and 1800hrs other than activities not audible beyond the site boundary.
8. At least 4 months prior to any event taking place the developer shall submit an Events Plan for Travel and Transport relevant to that event/artist for written

approval, which shall be carried out during the course of the event. The plan shall include details of :

- Crowd management; with particular regard to the large scale exodus of concert-goers at the end of events.
- Management of any road closures including diversion plans and the implications of this for traffic flows.
- Provision of a park and ride scheme from Becketts park including pedestrian signing, lighting and bus transfers
- Other Car parking locations
- Policing and marshalling plans
- Coning plans
- Telephone hotline for residents complaints,
- letters notifying residents of upcoming concert dates,
- Travel plan including details of how spectators can receive public transport information with their event tickets.

The events shall be carried out in accordance with the approved plan.

9. A working report assessing the impacts of the effectiveness of the traffic management plan shall be undertaken at the end of each year by the developer and agreed in writing by the Local Planning Authority. Any changes required to the plan shall be implemented prior to the next year of concerts taking place.
10. Events shall be attended by a maximum of 14,999 spectators.
11. Noise levels at the nearest noise sensitive properties shall be restricted to a maximum of 75 dBA in accordance with the National Noise Council guidelines.
12. Prior to any event the developer shall submit details of the proposed noise monitoring for that event and for proposed temporary lighting, which shall be agreed in writing with the Local Planning Authority. The event shall be carried out in accordance with the approved noise monitoring and lighting details. A review of the noise monitoring and temporary lighting impact shall be provided to the Council within 4 weeks after each event and any remedial action identified shall be incorporated into the plan for any future events.

In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way by maintaining regular dialogue and amending the application to address the concerns related to impacts on residential amenity to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework. In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR) and the emerging Publication Draft Core Strategy Nov 2012 (DCS)

RSS - LCR1;
UDPR - GP5, T2, E1, LT1 and LT2.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1 This application is brought to the Panel because of its sensitivity and significance and because objections received from Councillors Sue Bentley and Judith Chapman.
- 1.2 Yorkshire Country Cricket Club is applying for a 2 year temporary planning permission for the use of the cricket ground as a venue for staging music concerts. The club propose holding up to 3 concerts per calendar year. Due to the need to erect and then dismantle a stage on the cricket ground the club envisages these 3 concerts would mostly likely be held on consecutive days, probably over a weekend in the summer.
- 1.3 The club initially applied for a capacity of 25,000 spectators to attend each concert. Through negotiations with officers the applicant has agreed to a reduced capacity of 14,999 spectators per concert. The concerts would finish at 10pm and the ground would be cleared of spectators by 10.30pm.
- 1.4 Planning permission is required for the staging of non-cricket events because there is a planning condition on the 1995 Outline Planning permission (26/185/95/OT) for the wider redevelopment of the stadium restricting non cricket events to a capacity of 2000 people. The use of the stadium for music events is also a material change of use of the ground which requires planning permission.

2.0 PROPOSAL

- 2.1 The proposal is for the use of the cricket ground to hold 3 concerts per calendar year for a 2 year period. The concerts will start around 7pm and finish at 10pm and the ground will be cleared by 10.30pm. A stage will be erected on the cricket field behind the Carnegie Pavilion facing in a southerly direction. The exact position of the stage will differ depending on the artists who are performing.
- 2.2 The applicant has stated that they will be aiming for 'Radio 2 type' acts. The noise level of the music from the concert will be restricted to 75db when measured from the nearest noise sensitive properties.
- 2.3 To manage the event the applicants will produce an event management plan which will include details such as how the park and ride scheme from Becketts Park will be operated through the evening and a coning plan that is relevant to music concerts. The event plan will also include details of how spectators will leave the ground and disperse through the surrounding streets. This may include the need for temporary road closures. In addition the event management plan will also provide details of a telephone hotline residents can call if they have concerns.

3.0 SITE AND SURROUNDINGS

- 3.1 The site is the Headingley Carnegie Stadium, home of the Yorkshire County Cricket Club. The stadium is located within a predominantly residential area, near to Headingley town centre and is surrounded by residential properties. The site is not within but is adjacent to the Headingley Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 26/185/95/OT - Outline application to erect new cricket and rugby stands and facilities - Headingley stadium redevelopment. Decision issued 22.08.2000

Condition 14 - The noise levels from plant and activities carried on within the site shall not exceed 60dBA when measured as a 1 minute Leq at the nearest boundary of all properties surrounding the stadium on plan 95013/117 revision D except in the case of safety announcements.

In the interests of the residential amenity of the occupants of nearby property.

Condition 22 - All events at the site which are not sport related shall be limited in attendance to not more than 2000 people and the details recorded which shall then be supplied to the Local Planning Authority at the end of each calendar year.

For the avoidance of doubt and in the interests of the residential amenity of people living near the site.

08/02354/FU – Demolition of existing winter shed stand and erection of 5 storey building for university teaching space and admin offices, new cricket facilities including changing and officials rooms, hospitality facilities, new media centre, replacement spectator seating and admin offices, associated landscaping and car parking off St Michael's Lane (Carnegie Pavilion) – approved 10 March 2009

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 The application has been the subject of pre-application discussions before submission of the application. The applicant states that the Concerts proposal was discussed at the Stadium Liaison Group meeting in October, a meeting chaired by Councillor Nell Walshaw, Councillor Martin Hamilton, YCCC and community representatives. The applicant reports that this discussion did not elicit objections to the principle of holding concerts in the form applied for.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been publicised by means of site notices. There have been a total of 10 representations received of which 9 are objections with one further letter making comment. . Councillors Bentley and Chapman have both objected to this planning application.

- 6.2 The following issues have been raised:

- 1 The existing planning conditions from the 2005 Outline permission should remain in place.
2. The noise level is currently set at 65db and the stadium should not be allowed to raise it to 75db.
3. Where will the stage be sited? One report says in front of the Carnegie Pavilion facing south another says facing north east and a third says south west.
4. Speaker location may result in speakers exceeding 75db.
5. What is the impact of holding a concert in an open air stadium?
6. What is the monitoring scheme for the speakers?
7. How will the public complain to the council if noise from the concerts is too loud?
8. The location of the stage is shown as variable.
9. The distances from some properties to the stage are not clearly shown.

10. Noise and disturbance from the concerts will be unbearable.

11. Families will not be able to sleep until after the gigs have finished and the crowds have finally dispersed.

6.3 Councillors Sue Bentley and Judith Chapman have both objected for the following reasons:

- whilst the cricket and rugby grounds have been here a long time the matches on the whole are during the day and not late at night
- Increase in noise nuisance, traffic congestion and parking at late times of the day
- the Stadium is in the middle of a residential area
- although the application is for three concerts per year for two years there are fears that if they are successful there would be further applications to increase the number per annum
- after the concerts the crowds would probably opt to remain in Headingley to enjoy the night life culture of bars and restaurants
- Headingley residents already have enough problems with litter, noise, traffic congestion and parking without adding to their burden
- There are also concerns about increased anti-social behaviour

6.4 The Turnways and Laurel Bank Residents' Association have objected to the application. They object on the grounds of impact on local residents of a music venue alongside a sporting venue. The noise level submitted is inaccurate. Local residents should not be asked to make alternative arrangements on concert days. The proposed telephone line on the noise monitoring system is not sufficient. The setting up, testing of the equipment and the dismantling of the stage would add to the nuisance caused by this proposal. The increase in capacity to 25,000 would cause nuisance both inside and outside the ground.

7.0 CONSULTATION RESPONSES:

7.1 Highways – no objections subject to conditions relating to a traffic event management plan being provided and approved prior to each concert.

7.2 Environmental Health - Whilst there is always the potential for some disturbance with events attracting large numbers of people (up to 15,000 in this case) in a largely residential setting, given the conditions proposed we do not object to this proposal subject to proper enforcement of the proposed conditions. The need to review the situation after two years if permission is granted is also essential to ensure any further application is 'informed' by the experience of events subject to the current application.

8.0 PLANNING POLICIES:

8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan consists of the Regional Spatial Strategy for Yorkshire and the Humber adopted in May 2008 and the Leeds Unitary Development Plan Review (2006).

8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below.

Policy GP5 refers to detailed planning considerations and states that development proposals should seek to avoid loss of amenity.

Policy T2 – refers to highway safety considerations

Policy E1 – refers to promoting economic growth and supporting existing businesses.

Policy LT1 – identifies the need for resources of land and buildings within the district to be used positively and effectively as leisure and social facilities.

Policy LT2 – refers to the benefits of using privately owned land for dual functions, including leisure and recreation.

8.3 National Planning Policy Guidance:

The National Planning Policy Framework came into effect on 27th March 2012, and replaces the advice provided in Planning Policy Guidance Notes and Statements. The aim of this document is to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. Local planning authorities are expected to “plan positively” and that there should be a presumption in favour of sustainable development:

“At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.” (para 14).

8.4 The Government’s pursuit of sustainable development involves seeking a wide variety of positive improvements including:

1. making it easier for jobs to be created in cities, towns and villages
2. replacing poor design with better design
3. improving the conditions in which people live, work, travel and take leisure

Emerging Core Strategy

The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its submission stages only limited weight can be afforded to any relevant policies at this point in time.

Paragraph 4.7.9 of the draft CS states that - *Leeds has a number of high profile sports venues that attract major events. In principle, the Council supports improvement at its major sporting venues, such as Headingley Carnegie Stadium and Elland Road and recognises that such developments may not always be financially viable and therefore may require some form of enabling development in order that a valuable sporting resource can be retained and the wider economic and social benefits for the City realised. The Council is in principle willing to consider such enabling development providing that it is demonstrated to be necessary and that the scale of enabling development is no more than is required to bridge any funding gap. Any proposals for enabling development will need to be clearly tied to the associated development by legal agreement. Similar considerations may apply to the City’s major leisure and cultural attractions such as the Arena, City Museum and Royal Armouries.*

9.0 MAIN ISSUES:

9.1 The following main issues have been identified:

- Principle of the development
- Impact on residential amenity
- Highway safety
- Benefits of the development

10.0 APPRAISAL:

- 10.1 Yorkshire Country Cricket Club state that it is applying for the use of the grounds to include concerts to help the club generate additional revenues. The Club needs to secure its financial position as international cricket, which is the only profitable element for the club, is only secured until 2019. The club provides the City with a major international sporting venue that is a positive asset for the image and status of the city both domestically and internationally. The presence of Headingley Stadium for cricket events has been shown to benefit the City and the wider region. The use of the ground for 3 music concerts a year over a 2 year period is also likely to have benefits to the City and the wider region both in economic terms and in raising the profile of the City and also Headingley Carnegie Stadium.
- 10.2 The ground is located in a very sustainable location. The ground is well served by public transport options. The club is committed to promoting sustainable forms of travel and has given a commitment to ensure that the park and ride scheme that operates on major cricket match days from Becketts Park will be used on concert days. They have also committed to ensuring they produce an events management plan which will address the highway impacts of the development on the surrounding network and will also help address the impacts of the crowds when they leave the venue at 10-10.30pm.
- 10.3 The proposed music concerts are likely to have an impact on the living conditions of the neighbouring residents by reason of the noise of the concert and also from the noise of the crowds as they leave the venue. Clearly some residents may find this disturbing. In order to minimise these impacts a range of mitigation measures dealing with noise levels, hours of operation and crowd management are proposed. The noise from the music at the concert will be restricted to 75db at the nearest noise sensitive properties. This level accords with the guidance of the National Noise Council for the maximum level of noise that a music concert in an urban stadium or arena should be allowed to produce. The applicant states that the types of acts it will be looking to host would be 'Radio 2' type acts, and although this may exclude some types of bands and artists that might require higher decibel levels than Radio 2 acts, it is not possible to use a planning condition to control the types of acts that perform. It is however appropriate and enforceable to use a planning condition to control noise levels. In addition, a planning condition can be used to ensure these levels are monitored through the installation of noise monitoring equipment. The exact location of the stage is not confirmed because each artist may require a slightly different set up. What is confirmed is that the stage will be sited by the Carnegie Pavilion facing roughly south. Residents concerns about where the stage is sited should not affect what the noise level is at the nearest noise sensitive properties. This noise level should be fixed and should not exceed 75db when measured from the nearest noise sensitive location regardless of the slight changes in the direction or set up of the stage.

- 10.4 Originally the applicants had intended to finish the concerts at 10.30pm and clear the ground by 11pm. This is in accordance with the planning conditions on the 1995 Outline planning permission for the wider redevelopment of the stadium. The applicants have since revised this finish time to 10pm with the ground to be cleared 10.30pm. This change is intended to help the situation for local residents to get the ground and the local streets cleared earlier. The reduction in audience size from the originally applied 25,000 down to 14,999 will also have a notable impact on the amenity of local residents and also upon highway safety as the crowds will be able to clear more quickly, and also the impacts on the highway network including the public transport system should be markedly less.
- 10.5 The restriction on the number of concerts allowed each year and when the concerts can be held is also designed to address residents' concerns over noise and disturbance. The applicants have stated it is likely that the concerts will be held over a single weekend with the stage being erected and taken down the weeks either side. Overall it is considered that having the concerts over one weekend is a suitable way to proceed as even though the concerts may cause some noise and disturbance to local residents it will at least only last one weekend. In addition officers are proposing a condition which ensures that if a concert is held on a Sunday the following Monday cannot be a working day. This is in order to protect residents from 3 nights of continuous concerts when the next day is a working/school day.
- 10.6 The traffic management plan submitted with the application required amendments to address the specific impacts of evening music concerts. Through the event management plan the applicant will deliver a traffic management plan. A new street coning plan is also required that is relevant to evening music concerts. Different types of artists will attract different crowds and as such the traffic management plan should be flexible enough to cater for different modal patterns which may have different impacts upon both the local highway network and local residents' amenities. With appropriate consultation with officers, Members and residents, this is likely to take up to three months to prepare for each event. Subject to receiving a positive resolution on 10th January, the Club has a major international artist lined up in June, so in practice work on the Traffic/Event Management Plan will begin in January.
- 10.7 After the concerts have been held a working group of Council officers, residents associations, stadium representatives and Councillors is proposed to meet to discuss how the event went and if the event plans require reviewing. This could perhaps be an additional function of the existing Stadium Liaison Group chaired by Councillor Walshaw. The results of these discussions would be fed into the plans for any future events.
- 10.8 A revised Travel Plan would be required by condition that shows how spectators would be informed of the various travel options etc. It is hoped that spectators will be informed of public transport options when they receive their ticket for the concert. It is recognised that the spectators coming for concerts could be less familiar with the ground and the surrounding area than sports spectators. Accordingly the travel plan will be an important document to help spectators in their travel arrangements to and from the ground.

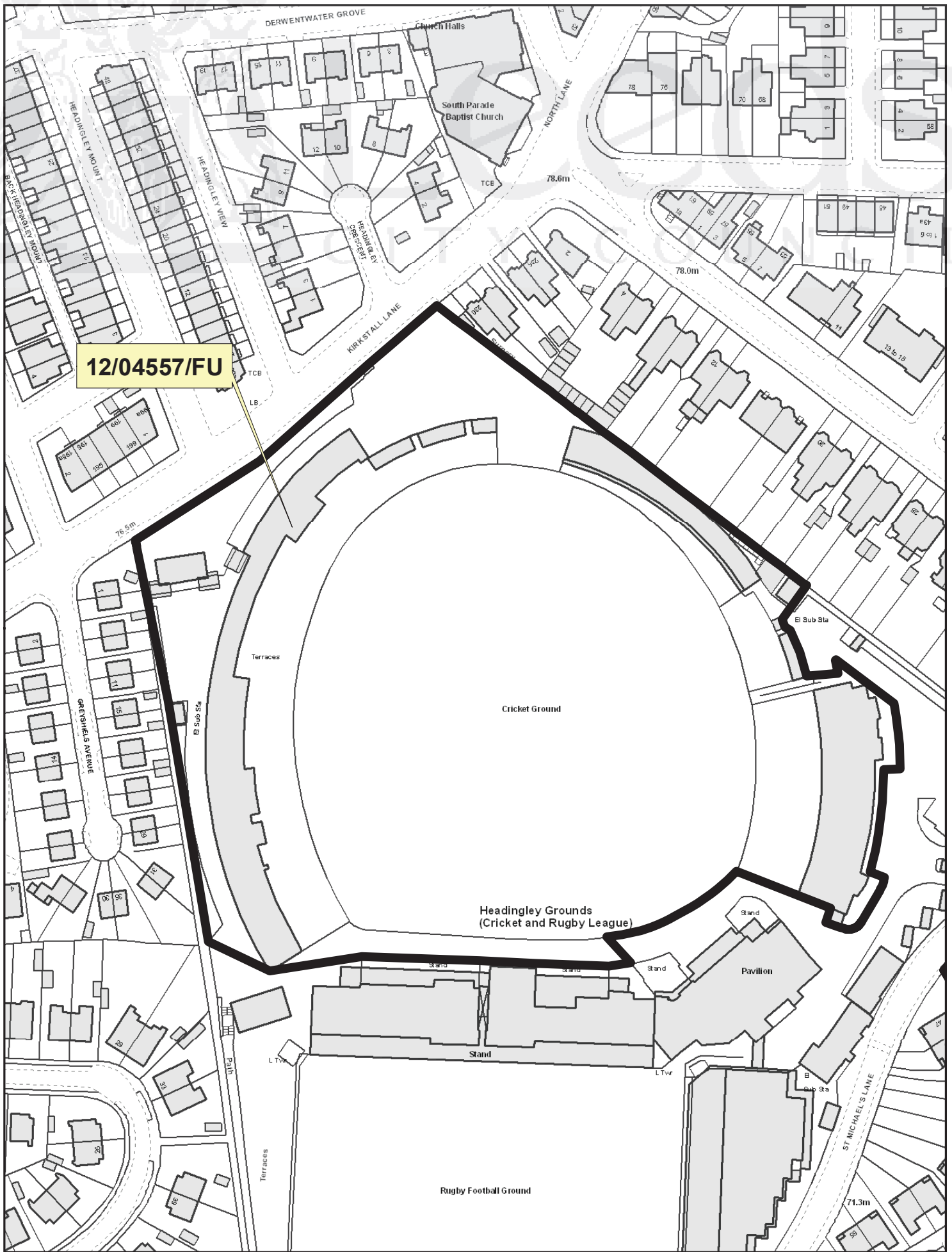
11.0 CONCLUSION:

- 11.1 The benefits to the City from the retention of an international sporting arena are positive. The use of the stadium for the staging of concerts will provide a leisure and amenity benefit to the City and the local area. The temporary nature of the use and the planning conditions suggested should ensure that the harm arising from noise and disturbance is kept to a minimum. The event management plans should also help mitigate the comings and goings of the crowd and should manage the highway safety implications.
- 11.2 It is emphasised that the recommendation is to grant permission for a maximum of 6 concerts over 2 years. If permission is granted and concerts go ahead the results of the monitoring which would be required would inform whether permissions for any further concerts should be granted. .

Background Papers:

Application file;

Certificate of Ownership.



12/04557/FU

SOUTH AND WEST PLANS PANEL



Originator: Terry Moran

Tel: 0113 3952110

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 10th January 2012

Subject: APPLICATION 12/04984/FU – CHANGE OF USE OF SOCIAL CLUB TO FORM 4 FLATS WITH LANDSCAPING AND CAR PARKING AT ASH GROVE SOCIAL CLUB, 16 ASH GROVE, LEEDS. LS6 1AY

APPLICANT

Cotech Investments

DATE VALID

28 November 2012

TARGET DATE

23 January 2013

Electoral Wards Affected:

Hyde Park and Woodhouse

Yes

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning Officer subject to the conditions specified and subject to no further representations raising new material planning considerations being received prior to the expiry of the publicity period (10th January 2013)

1. Development to be commenced within 3 years
2. Development to be carried out in accordance with the approved plans.
3. Notwithstanding the details on the plans hereby approved, all existing metalwork and framework relating to the redundant Fire Escape on the Ash Grove elevation shall be completely removed prior to first occupation of the flats hereby approved.
4. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
5. In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the National Planning Policy Framework, and (as specified below) the content and policies within Supplementary

Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, T2, H15, N19
Neighbourhoods for Living

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

- 1.1** This application is brought to Panel at the request of Councillor Gerald Harper who has objected to the application on the grounds that there is an excessive concentration of flats and HMO's in the locality and that the additional flats would have an unacceptable impact on highway safety due to additional on-street car parking. .

2.0 PROPOSAL:

- 2.1** The application is to change the use of the ground and first floors of a Social Club to form four flats, with external alterations to form new windows and laying out of parking and landscaping.
- 2.2** This should be read in conjunction with a recently approved application to erect six self-contained flats to the outer side of the existing building, which will result in a total of 10 self-contained flats within the site curtilage.

3.0 SITE AND SURROUNDINGS:

- 5.1** The site comprises the Ash Grove Social Club located on Ash Grove. The site is adjacent to a row of terraced dwellings on Ash Grove, with a low rise block of flats to the south of the site and a sports hall to the rear. The site has a large hardstanding area located to the south and west of the building. The building comprises four storeys and is a traditional Edwardian brick-built building with a large front tower which is considered to make a positive contribution to the Headingley Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

12/01131/FU – Extension to erect 6 flats to side of Club. Approved, 28/05/12.

10/04134/FU – 3 storey extension to social club to erect 5 flats. Refused, 05/11/97. Dismissed at Appeal, 23/05/11.

10/01462/FU – 3 storey extension to erect 5 flats. Refused, 26/07/10. Dismissed at Appeal, 24/05/11.

09/02706/FU – 4 storey block of 6 flats. Withdrawn, 21/09/09.

07/03877/FU – 4 storey block of 6 flats. Refused, 31/08/07

26/97/98/FU - 4 storey extension to erect 4 flats. Refused Dismissed at Appeal, 29/09/99.

26/10/97/FU – Change of use and extensions of club to 9 flats. Approved, 11/11/97.

5.0 HISTORY OF NEGOTIATIONS:

5.1 There have been no pre-application discussions with regard to this site.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 The application was publicised by Site Notice on 7th December 2012 and in the Yorkshire Evening Post on 20th December 2012.

6.2 When the report was published, one letter of representation from Ward Councillor Gerald Harper had been received. This is an objection to the proposal, on the grounds of highway safety and unacceptable increase in the numbers of flats in a location where he considers that there are already too many HMOs. Any additional letters of representation will be reported to the Plans Panel.

7.0 CONSULTATIONS RESPONSES:

STATUTORY

7.1 None.

NON-STATUTORY

7.2 Highway Authority – No objections, there will be no increase in demand for car parking relative to the existing club use.

7.3 Neighbourhoods and Housing – Comments will be provided to the Plans Panel at the meeting.

8.0 PLANNING POLICIES:

DEVELOPMENT PLAN

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires this application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 The Development Plan for Leeds currently comprises the Regional Spatial Strategy For Yorkshire and The Humber (published in May 2008), and the Leeds Unitary Development Plan Review (July 2006), policies as saved by direction of the Secretary of State, dated September 2007. The most relevant policies in the adopted Leeds Unitary Development Plan are listed below:

UDPR POLICIES:

8.3 Policy GP5 – seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

8.4 Policy T2 – this aims to avoid any undue impact on highway safety.

8.5 Policy T24 – this sets out recommended car parking guidelines.

- 8.6** Policy N19 – this seeks to ensure that new development should preserve and enhance areas designated as Conservation Areas
- 8.7** Policy H15 – this refers to the Area of Housing Mix and sets out a range of criteria aimed at promoting mixed communities

DRAFT CORE STRATEGY

- 8.8** The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 and the consultation period closed on 12th April 2012. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. On 14th November 2012 Full Council resolved to approve the Publication Draft Core Strategy and the sustainability report for the purpose of submission to the Secretary of State for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. Full Council also resolved on 14th November 2012 that a further period for representation be provided on pre-submission changes and any further representations received be submitted to the Secretary of State at the time the Publication Draft Core Strategy is submitted for independent examination

As the Council has resolved to move the Publication Draft Core Strategy to the next stage of independent examination, some weight can now be attached to the document and its contents recognising that the weight to be attached may be limited by outstanding representations which have been made which will be considered at the future examination.

RELEVANT SUPPLEMENTARY GUIDANCE:

- 8.9** Supplementary Planning Guidance provides a more detailed explanation of how strategic policies of the Unitary Development Plan can be practically implemented. The following SPGs are relevant and have been included in the Local Development Scheme, with the intention to retain these documents as 'guidance' for local planning purposes:
- Neighbourhoods for Living

NATIONAL PLANNING POLICY:

- 8.10** The National Planning Policy Framework was issued at the end of March 2012 and is now a material planning consideration. The NPPF provides up to date national policy guidance which is focused on helping achieve sustainable development. There is a presumption in favour of sustainable development. The basis for decision making remains that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Planning System should have a role in " supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being" (NPPF paragraph 7).

9.0 MAIN ISSUES:

- It is considered that the main issues are:

- Principle of residential use
- Parking
- Area of Housing Mix

10.0 APPRAISAL:

PRINCIPLE OF RESIDENTIAL USE

- 10.1** The existing Social Club has operated from the site for a number of years, and is clearly located in an area unsuitable for a use of this nature. It has an extensive history of complaints to the Council from local residents relating to noise and disturbance, from both loud music and noise from patrons in the street. The residential use proposed is, however, considered compatible with this sustainable residential location..

PARKING

- 10.2** The proposal indicates 13 car parking spaces within the site. Comments from the Highways Officer will be reported at the Meeting, but Officers consider that the site is in a highly sustainable location with easy access to frequent bus services and that there are no current waiting restrictions for on-street parking. As such, the proposal is considered acceptable with regard to parking provision. This opinion was recently supported at Appeal when, although dismissing the appeal to erect new flats on design grounds, (application references 10/01462/FU and 10/04134/FU), the Inspector concluded that the erection of additional flats would not result in any undue impact on highway safety. In addition, the proposed four flats would be expected to create less demand for car parking than the existing Club use.

AREA OF HOUSING MIX

- 10.3** This policy states that within the area of housing mix, planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:
- The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety;
 - There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;
 - The scale and character of the proposal should be compatible with the surrounding area;
 - Satisfactory provision should be made for car parking
 - The proposal should improve the quality or variety of the stock of student housing;
- In response to the above points:
- The site has been used as a Social Club for a number of years. Consequently, the proposal will not result in the loss of any existing housing accommodation but will in fact provide additional self-contained units. As such, there will be no loss of existing family housing accommodation;
 - It is considered that the levels of activity produced by up to 10 residents will be less than that previously generated by the use of the building as a Social Club.

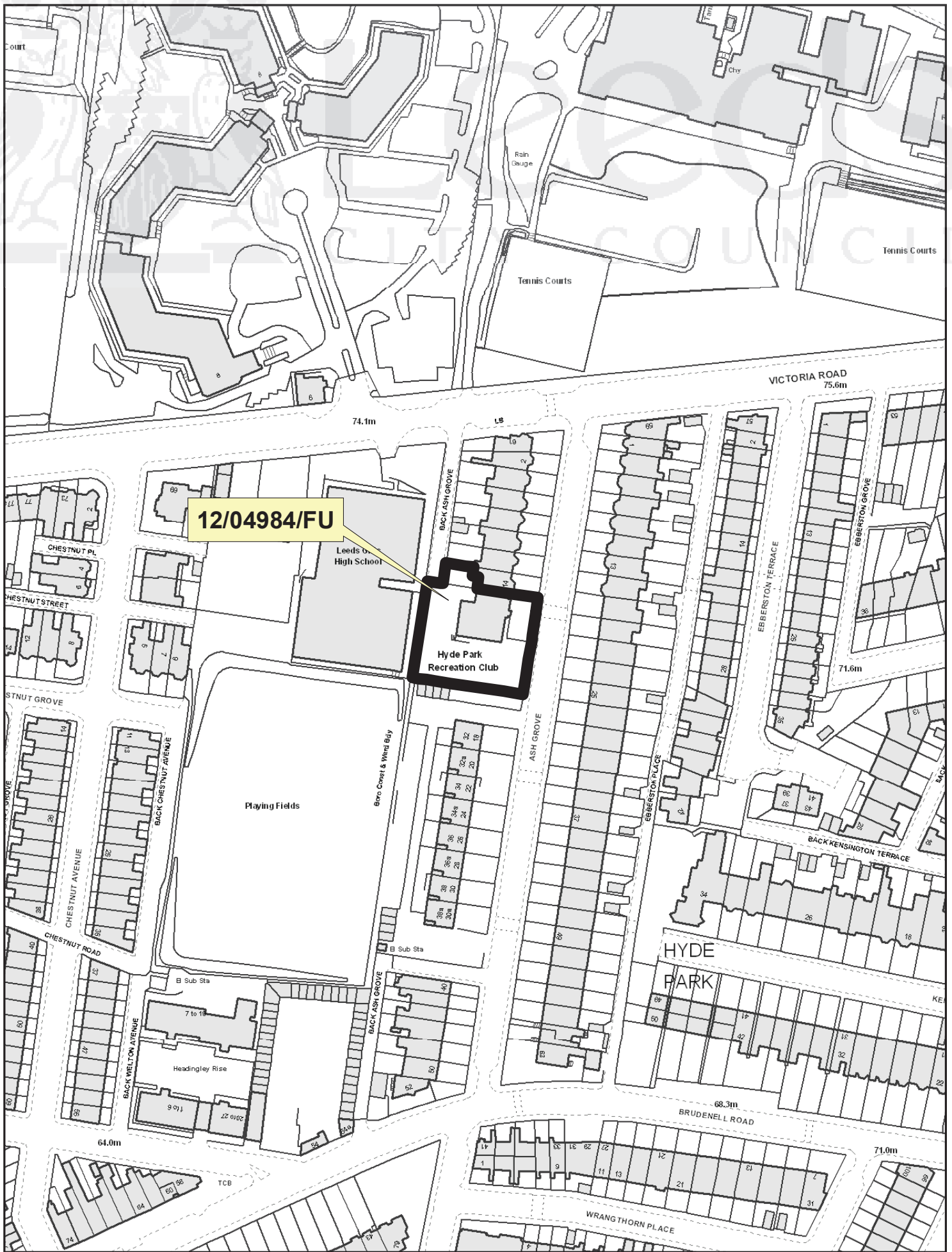
- There are no extensions to the property, with the proposed new windows being of a comparable scale and form to the existing and also resulting in the loss of the existing unattractive fire escape fronting Ash Grove. As such, the proposal is considered beneficial to the overall scale or character of the site.
- The site has 13 dedicated off-street parking spaces, with the site considered to be in a highly sustainable location with no current waiting or parking restrictions in place. As such, the proposal is considered acceptable on balance with regard to parking provision.
- The proposed bedrooms within flats have adequate levels of light and are of a reasonable size. The scheme is thus considered to comply with this element of the policy.

11.0 CONCLUSION:

- 11.1** On balance, the proposal to create four flats is considered acceptable. Although the site is located in an area with a large number of HMOs, this scheme is to erect self-contained flats within the C3 Use Class and as such is considered to offer an acceptable mix of accommodation which can help create balanced communities. Members are therefore recommended to grant permission subject to the conditions set out at the head of this report.

Background Papers:

Application and history files.
Certificate of Ownership.



SOUTH AND WEST PLANS PANEL

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Originator: Michael Howitt

Tel: 247 8000

Report of the Chief Planning Officer

PLANS PANEL SOUTH AND WEST

Date: 10th January 2013

Subject: APPLICATION 12/03346/OT – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH MEANS OF ACCESS - BRADFORD ROAD, GILDERSOME.

APPLICANT

Gildersome
Developments Ltd and
Chartford Homes Ltd

DATE VALID

16th August 2012

TARGET DATE

15th November 2012

Electoral Wards Affected: Morley North <input type="checkbox"/> Yes Ward Members consulted (referred to in report)	Specific Implications For: Equality and Diversity <input type="checkbox"/> Community Cohesion <input type="checkbox"/> Narrowing the Gap <input type="checkbox"/>
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RECOMMENDATION:

DEFER and DELEGATE approval to the Chief Planning officer subject to the conditions specified (and any others which he might consider appropriate) and the completion of a legal agreement to include the following obligations;

- (a) Provision of Metro Cards - £11,654.50.**
- (b) Bus stop improvements - £40, 000**
- (c) Provision of 15% affordable housing (within 2 years)**
- (d) Greenspace on site provision (N2.1) of 1151m2 and off site**

contribution of £37,780.09

In the circumstances where the Sec.106 has 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.

1. Standard Outline time limit.
2. Matters reserved
3. Development in accordance with approved plans
4. Materials to be submitted and approved
5. Hard surfacing details to be submitted
6. Visibility splay to be laid out
7. Full road layout to be submitted
8. All surfaces to be hard surfaced drained and sealed
9. Details of bin storage
10. Construction Management Plan
11. Landscaping details to be submitted
12. Landscaping Implementation
13. Preservation of existing trees
14. Replacement planting
15. Details of drainage scheme
16. Insulation scheme against road noise
17. Hours of construction
18. Control of noise nuisance during construction
19. Reporting of unexpected contamination.
20. Submission of verification reports.
21. Provision for nesting birds

Reason for approval:

In reaching a decision the case officer dealing with the application has worked with the applicant/ agent in a positive way as pre-application advice given by Officers has aided the applicant in producing an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR) and the emerging Publication Draft Core Strategy Nov 2012 (DCS) .

GP5, BD6, H4, N12, N13, T2 and T24

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel (South and West) at the request of Councillor Robert Finnegan due to the contentious nature of the application and local sensitivity regarding the proposal of housing on Greenfield sites.

2.0 PROPOSAL:

2.1 The application is for the erection of a residential development with an indicative amount of 26 properties. The properties are proposed to be two storey, built in artstone with rendered features under slate roofs. The access is to be taken from Bradford Road and is detailed within the application but as the application is submitted in outline, requesting only approval of access, the other matters would be dealt with under reserved matters.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is located on the Southern side of the old Bradford Road within an island of land bounded to the South by the A650. To the North and East the site there are residential properties and to the West of the site there is an existing residential care home. The site is not designated within the UDP and is currently undeveloped.

3.2 The site is reasonably accessible by public transport, located as it is close to a number of bus services and it is located adjacent Junction 27 of the M62 motorway making it easily accessible by the private car. There is however little in the way of shops located within the local vicinity.

3.3 The surrounding area is predominantly residential in character with a mix of differing traditional properties and the whilst the site falls within Drighlington Parish Council, the sites Eastern boundary forms the boundary with Gildersome Parish Council and as a result, both Councils were consulted on the application.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 11/01716/OT – Outline Application for specialist care village including new access. Approved at Plans Panel (East) on 18 October 2011
- 4.2 23/342/05/OT: Outline application to layout access and erect 2 storey 40 bedroom residential home with 18 car parking spaces. Refused 25 April 2006.
- 4.3 This application was the subject of an appeal (6 November 2006) and the appeal was dismissed. The inspector concluded that as the application, whilst not providing dwelling houses, it was nevertheless providing housing for a section of the community, and that the applicant had not shown why the proposal needed to be on this Greenfield site. Furthermore she concluded that the site, whilst having good public transport links, lacked local shops and services that made the site unsustainable. She did highlight the fact that there were schools and employment sites nearby but that these would be of little interest to residents of a residential care home.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Pre-application discussions have taken place with the agents for the application to consider whether the principle of development of the site would be acceptable. Informal officer opinion was that given the nature of positive consideration of the previous permission on the site against housing policy that the development of the site for this purpose may be acceptable.

6.0 CONSULTATION RESPONSES:

Statutory Consultations:

- 6.1 Coal Authority – No objection
Highways – No objections subject to conditions in terms of access but that the shown layout would not be acceptable in terms of a reserved matters application

Non Statutory Consultations:

- 6.2 Sustainability (Nature) – No objection subject to conditions protecting nesting birds and bats.
Sustainability (Landscape) – No response but previous application response suggested no objection subject to replacement planting
Contaminated Land – No objections subject to conditions
Mains Drainage – No objections subject to a condition requiring the submission of detailed surface water scheme.
Metro – No objection subject to contributions towards upgrading of the adjacent bus stops with bus shelters and live bus information displays and

bus only travel card scheme for residents.

7.0 PUBLIC/LOCAL RESPONSE:

7.1 The application was advertised by site notice on 31 August 2012. 2 letters of objection have been received and the objections are on the following grounds.

- There will be increased traffic generation on the road network with a further 26 houses.
- There will be ecological issues generated by the development.
- It will put further strain on Council services such as refuse collection and education.

7.2 Drighlington Parish Council – No objection

8.0 PLANNING POLICIES:

8.1 The development plan comprises the Regional Spatial Strategy to 2026 (RSS) and the adopted Leeds Unitary Development Plan (Review 2006). The RSS was issued in May 2008 and includes a broad development strategy for the region, setting out regional priorities in terms of location and scale of development. However, the RSS is a strategic planning document, used to inform more detailed policies at a local level. Accordingly, it is not considered that there are any particular policies which are relevant to the assessment of this proposal.

8.2 The Publication Draft of the Core Strategy was issued for public consultation on 28th February 2012 with the consultation period closing on 12th April 2012. Following consideration of any representations received, the Council intends to submit the draft Core Strategy for examination. The Core Strategy sets out strategic level policies and vision to guide the delivery of development investment decisions and the overall future of the district. As the Core Strategy is in its pre submission stages only limited weight can be afforded to any relevant policies at this point in time.

8.3 The following policies from the UDP are relevant:

- Policy GP5 seeks to ensure that development proposals resolve detailed planning considerations, including amenity.
- Policy BD5 seeks to ensure that all new buildings should be designed with consideration to both their own amenity and that of their surroundings.
- Policy H4 provides for residential development on unallocated sites.
- Policy N12 seeks to ensure that development should respect fundamental priorities for urban design.

- Policy N13 seeks to ensure that the design of new buildings should be of high quality and have regard to the character and appearance of their surroundings.
- Policy T2 ensures that new development is adequately served by the existing highway network and does not create or add to problems of safety or efficiency.
- Policy T24 indicates the levels of parking provision and new development - this should reflect guidance contained within Appendix 9 of volume 2 of UDP.
- Policy LD1 ensures that proposed and existing landscaping enhances the area. proposals should not create new, or exacerbate existing, highway problems.

Supplementary Guidance:

- Neighbourhoods for Living (SPG)
- Street Design Guide

National Policy/Guidance:

- National Planning Policy Framework (2012)

9.0 MAIN ISSUES:

1. The principle of development.
2. Design and the character of the area.
3. Access and highway safety considerations
4. Greenspace
5. Affordable Housing.
6. Public Transport.

10.0 APPRAISAL:

1. The principle of development.

- 10.1 The application site is an unallocated piece of land that is currently used as grazing land. The land to both East and West has been recently developed; to the West with a residential Nursing home and to the East by a development of 8 dwellinghouses. The previous history of the site shows that in 2006, an application for a residential care home was refused and also dismissed at appeal primarily on the grounds that the site was a Greenfield site that was unsustainable for the use proposed and no evidence had been put forward as to why the development needed to be located on the site. Subsequent to this, an application was approved by Plans Panel East on 18 October 2011 for a residential care establishment for people suffering from Prader Willi Syndrome. The application was considered at that time against housing policy and it was deemed to be acceptable for this specific residential purpose at that time.

- 10.2 The location of the site with both good public transport links and also a location close to the motorway network means that it will serve the area well in terms of transport links. The site is well served by public transport with a bus every 15 minutes to a major public transport interchange. The site is within a 20 minute walk of a primary health and primary education. The site is also within a 30 minute walk of a secondary school. The site meets the requirements of accessibility set out in the emerging Core Strategy. Therefore, this site is accessible via alternative modes of transport.
- 10.3 The National Planning Policy Framework which has replaced Planning Policy Statement 3 requires that local planning authorities should identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Deliverable sites should be available now; be in a suitable location; and be achievable with a realistic prospect that housing will be delivered on the site within 5 years. Sites with planning permission should be considered deliverable until permission expires subject to confidence that it will be delivered.
- 10.4 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (NPPF paragraphs 47 – 48). The most recent Annual Monitoring Report (AMR), which monitors Leeds housing provision, was published in December 2011 and approved by Executive Board. This report stated that Leeds did not have a 5 year housing land supply. It is unlikely that the position the Council adopted in December 2011 has altered any. Notwithstanding this, the NPPF and the emerging Core Strategy do not preclude development on greenfield, unallocated sites provided that they meet the criteria for sustainable development and Policy H4 of the UDP also had a similar provision.
- 10.5 Having regard to the above, it is considered that this sustainable site is acceptable in terms of the principal of residential development.

2. Design and the character of the area

- 10.6 The application is submitted in outline form and therefore, there is little in the way of design information submitted within the application other than an indication of scale and materials. It is proposed that the development will comprise two storey houses built in artstone and rendered panel

features under slate roofs with the indicative layout showing reasonable amounts of amenity space to the properties. This would sit comfortably with the surrounding area in terms of scale and also be acceptable in terms of materials, giving the developments that surround the application site. It is therefore considered that the site, as indicatively proposed, could provide a scheme that would be acceptable in terms of design and character.

3. Access and highway safety considerations

- 10.7 As well as principle, the other matter requested for approval is access and it is confirmed by the Highway Authority that the proposal shows an acceptable access with adequate visibility splays. It is stated within the highways response that the indicative internal layout of the site shown would not be acceptable and would require revision but as the application only deals with access, there is no significant harm to the free and safe use of the highway and the proposal is acceptable in terms of highways.

4. Greenspace

- 10.7 The proposal is for an indicative 26 properties and therefore a greenspace contribution would be required for the provision of off site greenspace within the local area. A section 106 agreement is currently being agreed between parties and the green space figure is calculated on the basis of 26 units with on site provision (N2.1) of 1151m². No maintenance fee is included as it is expected that the developer will have its own maintenance arrangements and a figure of £37,780.09 would be required Any such agreement would be required to be signed prior to any permission being granted.

5 Affordable Housing

- 10.8 The amount of development proposed triggers the requirement for affordable housing The application proposes 15% affordable housing provision on site in accordance with the adopted Interim Affordable Housing Policy. The provision is in the form of a 50/50 mix of social rent and shared equity properties.
- 10.9 In relation to the application site the Interim Policy applies a requirement of 15% affordable housing (a reduction from the SPD figure of 30% applied to the application and from the 30% figure of the previous Interim Guidance adopted in July 2008). The requirement for a 50/50 mix of social rent and shared equity is unchanged. The Policy indicates that permissions granted will normally be time limited to 2 years. The proposed Section 106 would have a clause which states that if not commenced

within 2 years, the requirement will revert to the policy at the time that the site comes forward for development.

6. Public Transport

10.10 Metro advise that bus stop numbers 13034 and 13035 (the two bus stops located closest to the site) should have shelters installed at a cost to the developer of around £10,000 each; This payment also includes maintenance of each shelter. The two shelters should include seating, lighting and bus information. Additionally, Metro suggest that future residents would benefit from the new 'live' bus information displays at each of the above named bus stops at a cost of approximately £10,000 each (including 10 years maintenance) to the developer. The displays are connected to the West Yorkshire 'real time' system and give accurate times of when the next bus is due, even if it is delayed. As such a contribution via a section 106 agreement will be required to provide for these improvements. Furthermore, Metro requests that the developer should fund a Bus Only Travel Card for each resident. The current price to the developer is £11,654.50. This includes a 10% fee for the administration of the scheme and again this contribution will be secured via a section 106 agreement.

11.0 CONCLUSION:

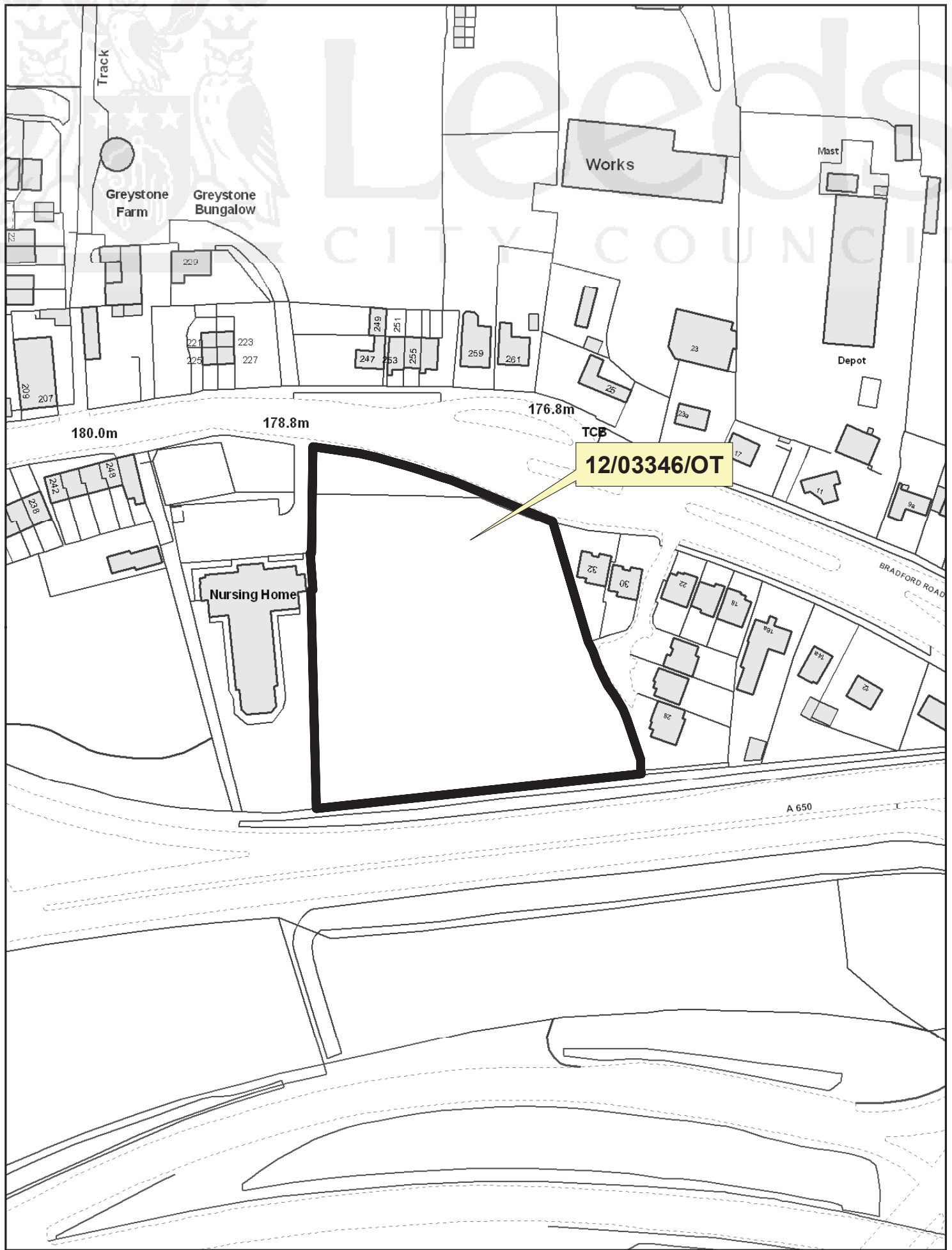
11.1 On balance, it is considered that subject to appropriate conditions as discussed above, the proposal is acceptable given that the principle of residential development is considered to be acceptable as the site is situated in a sustainable location. The layout and scale of the proposal is appropriate in regard to its surroundings, it raises no issues of detrimental harm to visual or residential amenity and no issues of harm to highways safety and as a consequence, it is therefore recommended that the application be approved.

Background Papers:

Application files 12/03346/FU

Certificate of ownership:

As applicant



SOUTH AND WEST PLANS PANEL

