

NORTH AND EAST PLANS PANEL

THURSDAY, 3RD OCTOBER, 2013

PRESENT: Councillor D Congreve in the Chair

Councillors R Grahame, M Harland,
C Macniven, A McKenna, J Procter,
G Wilkinson, J Harper and M Lyons

47 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

48 Late Items

There were no late items

49 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests, however Councillor M Lyons and Councillor J Procter brought to the Panel's attention their membership of the West Yorkshire Integrated Transport Authority, as Metro had commented on one of the applications being considered by Panel

50 Apologies for Absence

Apologies for absence were received from Councillor Campbell

51 Minutes of the Previous Meeting

RESOLVED - That the minutes of the North and East Plans Panel meeting held on 5th September 2013 be approved

52 Application No.13/02290/OT - Laying out of access road and erection of a dwelling on land to the rear of 35 Lower Mickletown Methley LS26

Plans and photographs were displayed at the meeting
The Panel's Lead Officer presented the report which sought outline permission for the erection of a dwelling, together with access road to the rear of 35 Lower Mickletown Methley LS26

The planning history of the site was outlined to Members, together with the Inspector's decisions on two appeals lodged by the applicant and the revisions to the flood zones made by the Environment Agency, which were also of relevance to the application

The Area Planning Manager stated that a condition imposed by the Inspector, to site the house only in Flood Zone 1 was proposed for this application and that whilst a dwelling could be accommodated within this restricted area, it would be modest in size and would need to be well designed

The Panel heard representations from an objector who attended the meeting

Members discussed the proposals and stated their concerns about the length of time local residents had lived with uncertainty due to the number of planning applications which had been submitted for this site over several years

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

53 Application No. 10/05048/EXT - Application for extension of time for outline planning permission 21/199/05/OT (warehouse and distribution development with car parking and landscaping) - Temple Green - land to south of East Leeds Link Road

Plans, photographs and drawings were displayed at the meeting

The Panel's Lead Officer presented the report which sought an extension of time for a warehouse and distribution development, with associated car parking and landscaping at Temple Green. It was noted that an extension of time application to allow submission of Reserved Matters until 2023 had been granted by the former Plans Panel East at its meeting on 1st December 2011. A copy of the report and minute from that meeting were appended to the report before Panel, for information

Members were informed that since the application had last been reported to Panel, the planning policy position had changed as the Regional Spatial Strategy had been revoked and the statutory plan was now the Unitary Development Plan. In addition the Core Strategy was emerging and the National Planning Policy Framework had been issued, however, the general thrust of policy remained with a primacy on promoting economic growth. Despite these changes, it was stated that there was nothing to lead Officers to propose a different recommendation to Panel from that in December 2011

The applicants were seeking to restructure the S106 Agreement to lessen the impact of the sums which they would need to pay, particularly in view of the expenses incurred in undertaking remediation work on the site. Therefore the applicant was seeking Members' views on the proposed time limits for the submission of Reserved Matters; the delivery of the first phase of development and the extent of that and the issue of the East Leeds Link Road (ELLR) and the repayment plan for this, with concerns that the backstop date was too onerous, in view of the continued economic downturn and the low level of interest from potential operators for the site. Members were informed that whilst any changes to the backstop date for payment of the ELLR monies

would be a decision for the Homes and Community Agency (HCA), the Council's view on this would be helpful

The proposals sought permission for an extension of time for:

- Reserved Matters for phase 1 of the scheme by 2020, this being two years later than previously granted
- submission of all Reserved Matters by 2024, this being one year later than previously granted
- the first phase of development to be delivered by 2022, this being four years later than previously granted

Members were informed that discussions about the amount of development to be delivered in the first phase were continuing and that the developer's agent was actively marketing the site

Members commented on the following matters:

- whether the article in the Yorkshire Evening Post about the site had been challenged and the damaging effect this article could have to employment aspirations in the local area
- the impact of the delays in delivery of this development in respect of job creation, particularly for local young people
- the need for the applicants to hear Members' concerns about the delays in developing this important site and for Ward Members to be briefed on the latest position regarding the development
- the backstop date for the contribution towards the ELLR and that this should not be moved so far into the distance, although ultimately this was a matter for the HCA

The Panel's Lead Officer advised that a response to the YEP article could be made, with Councillor R Grahame, being consulted on this and that Asset Management colleagues would be asked to arrange a briefing for Ward Members on the current intentions for the development of the site

RESOLVED - To agree to continued negotiations by Officers on the issues arising in the report and to defer and delegate to the Chief Planning Officer for approval, following completion of a Section 106 Agreement and subject to conditions as set out in the report and minutes of the Plans Panel East meeting held on 1st December 2011, or as otherwise considered necessary by Officers

In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission, or in accordance with a re-negotiated Planning Performance Agreement, the final determination of the application shall be delegated to the Chief Planning Officer

54 Application 13/00527/FU - First floor side extension with dormer to front; two storey and first floor extension to rear; porch to side; new retaining wall with steps to remodelled rear garden - Friars Cragg, Linton Common, Linton, Wetherby

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

The Panel's Lead Officer presented the report which sought permission for extensions, remodelling of steps and a new retaining wall at Friars Cragg, Linton, which was situated in the Green Belt and bordered the Conservation Area

Members were informed that the extent of the proposed development exceeded policy limits for extensions in the Green Belt and therefore very special circumstances needed to be considered

The proposals were outlined to Panel with Members being informed that some existing extensions would be removed with new extensions being created. At the rear, a more uniform and compact treatment was proposed which would result in the property being brought in line with the neighbouring dwelling

Whilst extensions of up to 30% were allowed as set out in the Householder Design Guide, the proposals before Panel represented an increase of 89% on the size of the original dwelling, although it was the view of Officers that the proposals did lead to significant improvements, though the removal of an existing annexe and a balcony. If minded to approve the application, a condition to remove permitted development rights was proposed

Members discussed the application and commented on the following matters:

- the benefit of the site visit to appreciate the negligible impact of the proposals on the Green Belt
- that the proposals would improve the streetscene; improve issues of overlooking through the removal of the first floor side balcony and would remove previous, unsympathetic extensions
- the previous approvals granted for extensions to the property in the 1990s; the scale of the proposed increase in the size of the dwelling and the nature of the very special circumstances which existed in this case, i.e. to improve the current situation, with concerns that a precedent could be set

Panel considered how to proceed

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

55 Application 13/03029/FU - New section of wall, increase in height to existing wall to side and timber pedestrian gate - Dene Cottage, Linton Lane, Linton, Wetherby

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

The Panel's Lead Officer presented the report which sought permission for new sections of boundary treatments at Dene Cottage Linton Lane LS22, which was situated in a Conservation Area

Members were informed that paragraph 5.1 of the report should refer to the height of all sections of the wall as being 1.5m and not 1.6m. In addition it was stated that paragraphs 3.3 and 10.2 of the report referred to a section of wall which had been demolished to accommodate a construction access. For clarity it was confirmed that a section of hedge had been removed but that no demolition had taken place

If minded to approve the application, additional conditions were suggested in respect of stipulating the height of the new section of wall; stipulating the siting of the entrance gates to the drive and the retention of existing trees

Members commented on the following matters:

- the character of Linton Lane, with concerns that the proposal was not in keeping with this and was the start of urbanisation of this area, to its detriment
- the proposed materials for the wall, with Members being informed that provision of a stone sample panel was conditioned
- concerns about the speed of the road. Whilst not a planning issue, the Panel's Highway's representative stated that he would refer Members' concerns on this to Traffic colleagues

Clarification was sought on the proposal for the new section of wall, with the Chair advising that this would be a rustic, country wall with plenty of vegetation behind it

Members considered how to proceed

RESOLVED - That the application be granted subject to the conditions in the submitted report plus additional conditions to specify that the new and altered sections of wall should be no more than 1.5m high; that the entrance gates to the drive be set back 5.5m from the back edge of the carriageway and that the existing trees should be retained. In addition, to note the requirement of the new section of wall being dry stone

56 Date and Time of Next Meeting

Thursday 31st October 2013 at 1.30pm in the Civic Hall, Leeds