

## **NORTH AND EAST PLANS PANEL**

**THURSDAY, 28TH NOVEMBER, 2013**

**PRESENT:** Councillor J McKenna in the Chair

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

### **71 Election of Chair**

In the absence of Councillor Congreve, nominations to chair the meeting were sought

**RESOLVED** - That Councillor J McKenna be elected as Chair of the meeting

### **72 Chair's opening remarks**

The Chair welcomed everyone to the meeting and informed Members that this would be the last Plans Panel for John Bramald, the Officer who registered public speakers and timed the presentations to Panel, as he was retiring from the Council. Members joined the Chair in a round of applause and wished John well for his retirement

### **73 Late Items**

There were no late items

### **74 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests

### **75 Apologies for Absence**

Apologies for absence were received from Councillor Congreve who was substituted for by Councillor J McKenna and from Councillor J Harper

### **76 Minutes**

**RESOLVED** - That the minutes of the North and East Plans Panel meeting held on 31<sup>st</sup> October 2013 be approved

## **77 Matters arising from the minutes**

With reference to minute 63 of the meeting held on 31<sup>st</sup> October 2013 – Application 13/9/00161/MOD – 61 High Ash Avenue LS17, the Head of Planning Services advised that the amendments to this longstanding case had now been undertaken on site, bringing the matter to a close

With reference to minute 69 of the meeting held on 31<sup>st</sup> October 2013, - Pre-application presentation on proposals at Millennium Village, Allerton Bywater, Members were informed that the formal application had now been submitted

With reference to minute 68 of the meeting held on 31<sup>st</sup> October 2013 – proposed new primary school at Florence Street and Stanley Road, concerns were raised at the amount of fly tipping which had occurred on the site, since the household waste site at Stanley Road had closed. That the likelihood of fly tipping taking place at the site had been drawn to Officers' attention by Members when a pre-application presentation had been made to Panel, earlier in the year and the matter needed to be addressed

The Head of Planning Services stated that he would raise this matter with colleagues and report back to Members on this

## **78 Application 13/04469/FU - Continued use of outbuilding for dog boarding business (for up to 5 dogs) - 72 Acaster Drive Garforth LS25**

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

Officers presented the report which sought approval for the continued use of an outbuilding for a dog boarding business at 72 Acaster Drive LS25

Members were informed that temporary planning permission had been granted last year in view of the possible impact of the commercial kennels on neighbourhood amenity. It was reported that no complaints had been received by the Environmental Protection Team since temporary planning consent had been granted and therefore Officers considered it appropriate to recommend a permanent permission be granted.. Members were informed that the applicant had applied to the Council for a licence for 5 dogs, in 4 kennels and that the licence had been granted and would be reviewed annually

The Panel heard representations from Councillor Dobson on behalf of a local resident, who provided information which included:

- the disposal of dog waste on the site and that a commercial arrangement was preferable
- the proximity of a primary school to the premises; associated highway issues and the possibility of amending the drop off and pick up times set out in condition 4, for people visiting the kennels so these would not conflict with the school run and add to the traffic congestion already experienced in this area

Members discussed the application and commented on the following matters:

- the well-run nature of the business operated by the applicant

- that a condition tying the planning consent to the current applicant should be considered
- that the application should be granted as set out in the submitted report
- the possibility of amending the drop off/pick up times at the dog boarding business to omit peak traffic times during the school day, with differing views on this given the limited impact involved

The Panel considered how to proceed

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report with an amendment to condition no 2, to add that the kennels should also only to be operated by the applicants

Under Council Procedure Rule 16.5, Councillor Lyons required it to be recorded that he abstained from voting on this matter

**79 Application 13/02833/FU - Detached house with attached double garage and associated landscaping - Cleavesty Centre Cleavesty Lane East Keswick LS17**

Plans, photographs and drawings were displayed at the meeting. A Members site visit had taken place earlier in the day. The site had been locked but Members were content with viewing the site from outside

Officers presented the report which related to an application for a detached house with double garage and landscaping at the Cleavesty Centre, East Keswick, a former riding school which was sited in the Green Belt and within a Special Landscape Area

Members were informed that the proposals would see the removal of all of the existing buildings on the site and the erection of a u-shaped dwelling arranged around an internal courtyard, with a single storey glazed element which linked the buildings. The design of the scheme was intended to appear as a complex of farm buildings

The landscaping proposals were outlined and it was noted there was some inconsistency in relation to the access on the layout plan and that shown on the landscape plan

The planning history of the site was outlined with Panel being informed that previous proposals for three dwellings had been refused, with reasons being inappropriate development in the Green Belt and the isolated nature of the site. An application for a single dwelling on the site had also been refused, although the Inspector had considered the design of that scheme to be acceptable but had refused the application on the grounds of being inappropriate development in the Green Belt and creating an isolated dwelling in the countryside

Details of the size and scale of the development were provided and the impact of this on the openness of the area

Officers reported that a draft S106 Agreement had not been submitted with the application and that unlike the previous application for a single dwelling which had met level 6 of the Code for Sustainable Homes, the current application proposed to meet level 5 of this Code

Members' attention was drawn to paragraph 8.4 of the submitted report which set out relevant paragraphs from the NPPF relating to sustainable development and Green Belt

Members were informed that in terms of the design of the proposals, Officers were satisfied with this and that Highway colleagues had raised no concerns about the access and car parking arrangements, but that in respect of sustainability, Officers considered that there was a lack of accessibility to facilities and a lack of footway into the village and, together with concerns about inappropriate development in the Green Belt, were recommending to Members that the application be refused, with suggested reasons for refusal being included in the report

The Panel heard representations on behalf of the applicant, with Members being provided with information which included:

- a different interpretation of paragraph 89 of the NPPF
- inconsistencies in the submitted report
- that the issues of level 5 of the Code for Sustainable Homes and provision of a draft S106 Agreement had not been raised by Officers; that Code 6 would be targeted and that these issues could be controlled by conditions
- that the previous application for a single dwelling on the site was supported by Officers
- that the proposals would result in an improvement to the existing, vacant buildings currently on the site

**RESOLVED** - That the application be refused for the following reasons:

1 The Local Planning Authority consider that the proposed detached dwelling is inappropriate development within the Green Belt as it falls outside the list of exceptions to the restrictive approach to development within the Green Belt detailed in local and national policy.

Inappropriate development is, by definition, harmful to the Green Belt and no very special circumstances have been demonstrated the proposal is considered contrary to the aims and intentions of Policy N33 of the Leeds Unitary Development Plan (Review)2006 as well as guidance contained within the National Planning Policy Framework

2 The Local Planning Authority consider that the proposed detached house would result in an isolated dwelling in the countryside and, in the absence of any special circumstances, would fail to promote sustainable development in rural areas. As such the proposal is contrary to paragraph 55 of the National Planning Policy Framework

During consideration of this matter, Councillor R Grahame left the meeting

## **80 Date and Time of Next Meeting**

Thursday 19<sup>th</sup> December 2013 at 1.30pm in the Civic Hall, Leeds

minutes approved at the meeting  
held on Thursday, 19th December, 2013