

NORTH AND EAST PLANS PANEL

THURSDAY, 23RD JANUARY, 2014

PRESENT: Councillor D Congreve in the Chair

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

90 Chair's opening remarks

The Chair welcomed everyone to the first North and East Plans Panel of 2014 and asked Members and Officers to introduce themselves

91 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

92 Apologies for Absence

Apologies for absence were received from Councillor Wilkinson

93 Minutes

RESOLVED - That the minutes of the North and East Plans Panel meeting held on 19th December 2013 be approved

94 Application 13/04234/FU - Single storey dwelling to garden of Old Parsonage, Main Street East Keswick LS17

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

Officers presented the report which sought approval for a single storey dwelling to the garden of the Old Parsonage, East Keswick, a Grade II Listed Building which was situated in a Conservation Area

Details of the topography of the site; boundary treatment; access arrangements and design of the proposed dwelling were provided. It was acknowledged that the proposals would require a level of excavation to be carried out

In terms of landscaping, two protected lime trees which had been extensively pollarded would require removal, which was felt to be acceptable in this case, with some replacement planting being provided

Officers were of the view that the proposed dwelling would be similar in height to the adjacent garage; that the principle of development was acceptable and that the proposals would not have an impact on residential amenity

The Panel heard representations from an objector and the applicant's agent who provided information which included:

- the location of the site which was at the hub of the village
- that the proposals were not in keeping with the character and charm of the village
- tree loss
- that the site was located in a Conservation Area
- planning policy in relation to villages
- that the proposals had been designed in line with guidelines contained in the Conservation Area report and the experience of the developers on sites in historic locations
- that an arboriculturalist would be employed to deal with the landscaping issues

Members discussed the application and commented on the following matters:

- the extent of the tree loss as there seemed to be some discrepancy about the number of lime trees to be removed. It was confirmed that there were two lime trees to be removed, although one of them was multi-stemmed
- the level of excavation which would be required and how the existing boundary treatment to the northern elevation would be dealt with. It was stated that retaining walls would be provided and that a proposed condition would cover this matter. Members were also informed that the area of excavation was outside of the root protection area of the trees which would be retained
- whether there was a link between the new dwelling and the existing property, in view of a path seeming to be shown on the plan. It was confirmed that this was an error and that there would not be a link between the two properties
- the proposed materials and the possibility of using reclaimed natural stone, in view of the historic nature of the area and the need for Ward Members to be consulted on the materials
- highways issues, particularly the access to the dwelling in view of the number of cars parked outside the nearby village store and whether any form of road marking would be required on the opposite side of the road. The Panel's Highways representative stated that the manoeuvring did meet the standards, due to the wider verge in this area and confirmed that no road markings would be required as a result of the proposals
- that the site was in a sensitive location and the concerns of local people were appreciated
- the quality of the Old Parsonage in terms of its style and setting and the impact of the proposals on this property

- that concerns remained about the access point, particularly the ability of two cars to pass due to parked vehicles outside the village store

The Panel considered how to proceed

RESOLVED - That the application be granted subject to the conditions set out in the submitted report; an amendment to condition number 3, relating to materials to include in consultation with Ward Members; amendment of condition number 15 relating to the access, to specify that details of the retaining structure also to be included and amendment of condition number 19, relating to ground levels to ensure the final levels adhered to those shown on the plan

95 Application 13/03451/FU - Demolition of existing house and erection of three dwellings - Rigton Gardens, Scarsdale Ridge Bardsey LS17

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 of the demolition of the existing dwelling and the erection of three new dwellings at Rigton Gardens, Bardsey

Reference was made to an application for four dwellings at Rigton Croft, to the west of the site, which was refused and subsequently granted on appeal, with a revised scheme then being submitted and approved

Access details were provided, with Members being informed that some dwellings would share the access with the scheme at Rigton Croft which would ensure there would only be four dwellings served off a private drive

Proposed materials would be stone and slate

Members were informed that the principle of development would be difficult to resist in view of the approved schemes at Rigton Croft; that there were no highways implications on Scarsdale Ridge or Scarsdale Lane and that there had been relatively few objections, although the concerns raised by a Ward Member were noted

Members discussed the application and commented on the following matters:

- the layout of the proposals with concerns that the dwelling to be located on the site of Southlands was close to its boundary and that of the adjacent property, Brocks Bank and in view of the size of the dwellings – 5 bed properties - this needed further consideration
- that the layout needed to be reconsidered with concerns that it was cramped in what was effectively a cul-de-sac
- the differing levels of the site and need to ensure the plans were accurate in showing the heights of the dwellings
- that a better layout on the adjacent site had been achieved. It was noted that it would be the same developer for both sites
- that the principle of development could be accepted but that further discussions on the layout were required

The Panel considered how to proceed

RESOLVED - To defer and delegate the application to the Chief

Planning Officer for approval, subject to conditions and in consultation with Ward Members to seek an improved layout of the development, especially an improved siting in relation to the property known as Brocks Bank

96 Application 13/05428/FU - Variation of condition number 4 to approval 30/213/97/FU - hours of opening - 166 Shadwell Lane LS17

Further to minute 17 of the North and East Plans Panel meeting held on 11th July 2013, where Panel refused an application for a variation of condition 4 of application 30/213/97/FU, relating to opening hours at a community centre at 166 Shadwell Lane LS17, Members considered a revised application

Officers presented the report which sought to increase the hours of opening from 09.00 – 22.00 Monday to Friday (10.00 – 20.00 Saturday and Sunday) to 09.30 – 23.00 any day and during three, named festivals, from 08.00 – 00.30, with one notice per year to the Chief Planning Officer of the festival dates, at the start of the Islamic Year. A management plan for all activities at the centre would also be required

Members discussed the application and commented on the following matters:

- the need for the additional hours during the week for core activities
- the location of the car park, which was close to residential dwellings with concerns about noise and disturbance, particularly in view of the proposed increase to the regular opening hours
- the need to include in the management plan a range of measures to mitigate against noise nuisance from the car park

Members considered how to proceed

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

97 Application 08/01776/FU - One three storey block of 3 ground floor retail units with 14 flats over and one four storey block of 43 flats - Former Compton Arms Public House site, Compton Road Burmantofts LS9

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which related to a mixed-use development on the site of the former Compton Arms Public House and contained a mix of retail and residential units, with car parking and green space. Members noted that determination of the application – which was recommended for refusal by Officers - was deferred at Plans Panel East at its meeting in August 2012, in line with requests by a Ward Member and the MP to allow the applicant further opportunity to submit a scheme which could be supported

Members were informed that the work undertaken since that time had not resulted in a suitable scheme, despite the will to see an acceptable form of development on the site

The application was outlined with Members being advised there were concerns about the size of the four storey block; its height and its proximity to boundaries. The design of the block was also considered to be dated

There were also issues with the scheme in respect of viability and the difference in the S106 obligations which were sought and those being offered were noted

Possible reasons for refusal of the application were outlined in the submitted report

Members were advised that the applicant had submitted revised plans earlier in the week. Whilst these were not complete plans and there had not been time to undertake a thorough assessment of the revisions which had been submitted, the reduction of the four storey block to three storeys was noted as was the reduction in the number of dwellings by five flats. A reduced level of car parking was also noted along with the absence of a pedestrian link to the shops

A request had been made by the applicant to defer determination of the application but due to the longstanding nature of this application, this request had been resisted

The Panel heard representations from applicant's agent who provided the following information:

- that not all of the delay involved in bringing the scheme forward was due to the applicant
- that refusing the application would achieve nothing and could delay bringing forward another scheme
- that the applicant would prioritise the site and could bring forward another proposal by the end of March 2014
- the proposed amendments and the reduction to three storeys of the flats block in the latest plans which had been submitted
- the need for the scheme to be financially viable

Members commented on the following matters:

- the density of the scheme and that even with five fewer dwellings the scheme was still over intensive
- whether there were unusual costs associated with the site in view of the low S106 contributions being offered
- that the application had been submitted in April 2008 and that the submission of revised plans days before the meeting was unacceptable

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

The proposed development is considered to represent an over intensive form of development due to its excessive scale and massing and fails to provide a satisfactory package of Section 106 planning obligations to meet the social, environmental and economic policy requirements of the Local Planning Authority for a development of this size. Whilst a viability assessment has been submitted to support the applicant's position in terms of the level of contributions which can be provided and that the delivery of housing on what is currently a vacant site will bring some advantages and benefits, it is considered that these are outweighed by the development's over intensive nature resulting in a poor form of development and a planning obligations package which

falls well short of the policy requirements and will result in a development which is unsustainable as the required levels of affordable housing and greenspace enhancements are not delivered and no improvements to public transport options is forthcoming. The development is therefore contrary to policies GP5, GP7, N2, N3, N4, N12, N13, H11, T2 and T2D of the Unitary Development Plan (Review 2006); Supplementary Planning Guidance documents SPG3 – Affordable Housing as updated, SPG4 – Greenspace relating to housing development (July 1998); Supplementary Planning Documents – Public Transport Improvements and Developer Contributions (adopted August 2008), Travel Plans (adopted October 2012), the Interim Affordable Housing Policy 2011 and the advice contained within the National Planning Policy Framework which seeks to ensure all development is sustainable and well designed

98 Dates and Times of Next Meetings

Thursday 20th February 2014 at 1.30pm
Thursday 27th March 2014 at 1.30pm