

SOUTH AND WEST PLANS PANEL

THURSDAY, 18TH JULY, 2013

PRESENT: Councillor J McKenna in the Chair

Councillors J Akhtar, J Bentley, A Castle,
M Coulson, R Finnigan, C Gruen, C Towler,
P Truswell and J Walker

21 Chair's opening remarks

The Chair welcomed everyone to the meeting

22 Late Items

There were no formal late items but in respect of application 13/00626/FU – detached drive-through restaurant at Cardigan Fields LS5 - the Chair allowed a photograph to be tabled, to enable Members to better understand the issue being raised by the objector (minute 28 refers)

23 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

24 Apologies for Absence

Apologies for absence were received from Councillor Wood

25 Minutes

RESOLVED - That the minutes of the South and West Plans Panel meeting held on 20th June 2013 be approved, subject to the inclusion at minute 16 relating to application 11/04306/OT – Asda store Old Lane LS11, of a requirement as part of the S106 Agreement to specify a time scale for completion of the development, as requested by Panel at that meeting

26 Panel member Nominations for Workshop on Delivering Quality Housing

The Panel considered a report of the Chief Planning Officer seeking nominations from South and West Plans Panel for three representatives to join representatives from City Plans Panel and North and East Plans Panel to

attend a workshop with major house builders to improve the quality of housing applications in the City

RESOLVED - To note the representatives on the workshop from South and West Plans Panel would be Councillor J McKenna; Councillor Finnigan and Councillor Truswell

27 Application 13/00874/FU - Development of solar farm on site of Haigh Hall Farm, Batley Road, Tingley, Wakefield, WF3

Further to minute 85 of the South and West Plans Panel meeting held on 25th April 2013, where Panel considered a position statement on proposals for a solar farm at Haigh Hall Farm, Batley Road Tingley, Members considered a further report of the Chief Planning Officer

Plans, photographs and precedent images were displayed at the meeting

The Minerals, Waste and Contaminated Land Manager presented the report which sought approval for the installation of around 32,000 solar panels over three fields on a site located in the Green Belt and in close proximity to a section of the Leeds Country Way

Details of the fencing and security equipment surrounding the site was provided together with long range views of the site to assist Members in their consideration of the visual impact of the proposals

Members were informed that the hedge/shrub planting to be provided had been extended with images being shown of the planting scheme after 1 year and 10 years. It was the view of Officers that the extent of the planting and small habitat creation provided a significant benefit on the existing situation

Although the recommendation in the report was to approve the application, in view of comments recently received from Leeds Bradford Airport and their request for a risk assessment to be carried out relating to glint and glare, an amendment to the recommendation was sought. If minded to approve the application, Panel was asked to defer and delegate approval to the Chief Planning Officer, subject to the risk assessment raising no substantial issues

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

Members discussed the application and commented on the following matters:

- the siting of the solar panels and whether the layout of the panels could be changed to protect south eastern views. The Area Planning Manager advised that siting the solar panels further to the east was likely to increase the views of them due to the rise of the land
- the possibility of achieving the screening more quickly by the use of mature planting. Members were informed that mature species could often be slow to begin growing and that better results were achieved by using younger plants

The Panel considered how to proceed

RESOLVED - To approve the application in principle and to defer and

delegate final approval to the Chief Planning Officer, subject to the conditions set out in the submitted report; the receipt of a satisfactory risk assessment which raised no substantial issues regarding aviation and following further discussions regarding planting; how adequate screening could be achieved without damaging the longevity of the planting and further consideration of the planting on the western boundary

28 Application 13/00626/FU - Detached drive-through restaurant at Cardigan Fields, Burley, Leeds, LS5

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

Officers presented a report seeking approval of an application for a detached drive-through restaurant at Cardigan Fields Leisure Park, Kirkstall Road LS5

Members were informed that the site was currently used as an overspill car park although the extent of its use was disputed by the applicant and some of the objectors. The site was also in a Zone 3 flood risk area and that the applicant's flood risk assessment had been accepted by the Council and the Environment Agency

The building would be of a modern design using glazing and cladding

Objections to the proposals had been received including one from a local Ward Member who had raised particular concerns about the proliferation of fast food outlets in the area and the impact of these on obesity levels

The Panel was informed that the Department of Public Health had been consulted on the proposal but had stated there was not sufficient medical evidence to establish a causal link between fast food outlets and obesity. Members were informed therefore that this could be difficult to substantiate as a reason for refusal of the application

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

Members commented on the following matters:

- local employment
- the need for best endeavours to be used to provide jobs for local people
- car parking; how well used this site was for parking; that there was currently a barrier across the parking area and that additional parking might be needed with the introduction of a new restaurant offer on the site. On this matter, the Panel's Highways representative stated that from the information which had been submitted with the application and local knowledge, whilst parking in the wider development was often extensive, this overspill car park was not required. In terms of the proposed new use, as this complemented existing uses on the site it would not necessarily generate many new visitors. In the event that additional car parking was required, the applicant had indicated that a fan-shaped area of land could be opened up for parking for approximately 30 cars

- concerns about the cumulative impact of fast food outlets on public health, with a suggestion being made that Scrutiny Board Health and Wellbeing and Adult Social Care be asked to look at this aspect and the public health element of planning. The Head of Planning Services advised that work was being carried out on this matter as part of the Core Strategy, although there were mixed messages on this as the Government would allow in some cases, premises to change their use to a restaurant for two years under Permitted Development
- landscaping; the need for an acceptable scheme to be submitted which also increased planting on the northern frontage of the site

The Panel considered how to proceed

RESOLVED - To approve the application in principle and to defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report, a further condition encouraging use of local employment and discussions to achieve further mature planting on the northern frontage of the site

29 Application 13/01654/FU - Single storey, two storey and first floor side extension to dwelling - 56 Eden Crescent, Kirkstall, LS4

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

Officers presented a report seeking approval for a single storey, two storey and first floor side extension to 56 Eden Crescent LS4

Members were informed that a similar proposal had been refused earlier in the year and that the current scheme had reduced the impact of the proposals and that Officers were recommending to Panel that the application be approved

It was noted that some Permitted Development had taken place, with concerns being raised about the cumulative impact of the proposals. Members were informed that a calculation of the increased area had been carried out and whilst it was close to the two-thirds limit as set out in the Householder Design Guide, it did not exceed this

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

30 Application 13/02417/FU - Part two storey, part single storey extension to semi-detached house - 24 Vesper Rise, Leeds, LS5

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

Officers presented a report in respect of an application for a part two storey, part single storey extension at 24 Vesper Rise LS5

Members were informed that Officers were concerned about the bulk and scale of the proposals and were of the view that it overwhelmed the

existing property and therefore recommended to Panel that the application be refused

It was noted that in support of the application, the applicant had referred to a similar extension to a property nearby at 8 Vesper Gate Terrace. In considering this, Officers were satisfied that the applications differed and that the scheme at 8 Vesper Gate Terrace, approved in 2011, was less intensive than that proposed for 24 Vesper Rise. The introduction of the Householder Design Guide Supplementary Planning Document in April 2012 and its requirements were also highlighted in the report before Panel

Members heard representations from the applicant who attended the meeting

During the discussions which followed, the view was expressed that some form of extension could possibly be achieved on the site and that the application should be delegated to Officers. The Area Planning Manager, whilst accepting there was scope for an extension to the property, advised that no pre-application discussions had taken place with Officers and that the application had to be determined in its current form

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

The Local Planning Authority considers that the proposed extension would, as a result of its overall scale, design, form and massing, result in an unacceptable impact on visual amenity and the appearance and setting of the host property within the wider streetscene. As such, the proposal fails to comply with Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) and is contrary to Policy HDG:1 of the Adopted SPF 'Householder Design Guide' and also fails to comply with guidance set out in the National Planning Policy Framework

Following determination of the application, the Head of Planning Services invited the applicant to meet with Officers to discuss an alternative form of development

31 Application 13/00992/FU - Two detached dwellings with associated landscaping - land to the rear of 54 Weetwood Lane, Leeds, LS16

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

Officers presented a report seeking approval for two detached dwellings with associated landscaping on land to the rear of 54 Weetwood Lane LS16

Members were informed that this greenfield site was situated between the Far Headingley Conservation Area and Weetwood Lane Conservation Area, although the site itself did not benefit from any special designation

A Group Tree Preservation Order covered the site and whilst the removal of some trees was proposed, these would be largely fruit trees and immature scrub, with an appropriate replacement landscape scheme for the site being conditioned

In terms of the principle of development, Officers considered this to be acceptable. Two dwellings of traditional design and appearance were

proposed to be constructed from natural materials and the site was relatively private, with the exception of the properties surrounding it. Although the site was elevated from Hollin Lane, it was considered that distances of 61-70m away from properties on Hollin Lane far exceeded those set out in planning policy and as such it was felt that the proposals were not harmful to residential amenity

There were no highways issues with the proposals and the existing site entrance would be widened, with an extension being formed to the existing driveway to create a private drive for both of the plots

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

Members commented on the following matters:

- the level of representations received in respect of the proposals, the nature of them and the level of consultation and engagement carried out on behalf of the applicant
- that the proposals could be considered to be garden grabbing
- the use of the land as an amenity site and the suggestion raised by objectors that a covenant existed preventing the land from being used for housing. For clarity, the Chair invited the Panel's legal representative to comment on this, with Members being informed that the issue of a covenant was a private matter and was not a planning consideration
- the distance of the access road from the rear fence of dwellings on Hollin Lane, with Members being informed this was 4 metres
- concern about the impact on amenity of residents on Hollin Lane
- whether there were other measures which could be suggested to obscure the development from the existing dwellings. On this point Members were advised that whilst a good landscaping scheme would soften and break up views of the new development, it would remain visible but that possible additional tree planting could be considered. Whilst there would be the possibility of requiring a 2m high boundary fence to protect residential amenity, discussions should take place with adjoining residents to assess their views on this
- highway concerns, including the use of the drive for delivery vehicles etc and the access onto Weetwood Lane
- that lighting to the path should be considered
- the view that the application did not comply with the National Planning Policy Framework (NPPF)

The Head of Planning Services advised that although the NPPF referred to preference being given to brownfield sites, it did not prevent greenfield sites from being developed and that in reaching a decision, Members should have regard to the impact of the proposals; the local character and the need for local housing

The Panel considered how to proceed

Following an equity of votes for and against the recommendation, the Chair used his casting vote

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

32 Application 13/02702/FU - Demolition of existing housing office and construction of a block of three retail units (A1) use with associated works - Oatland Drive, Leeds, LS7

Plans and photographs were displayed at the meeting

Officers presented a report seeking the demolition of the existing housing office at Oatland Drive LS7 and the construction of a block of three retail units (A1) use, with associated works

Members were informed that the proposal was to provide the retail element of the Little London PFI housing scheme, as the Community Hub site of the original larger scheme was now required to enable an expansion of Little London Primary School to take place

One of the units would be a general store, with another one being a pharmacy. It was not known at this stage who would operate the third unit, but in response to comments from Members it was stated that the unit was a designated A1 use, and that any takeaway use would require planning permission

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

33 Position Statement - Applications 13/2408/CA & 13/2409/FU - Demolition of dyeworks buildings, erection of 109 houses and retention of Mill Facade and development to form 4 flats and Conservation Area consent application for demolition of dyeworks buildings and one chimney - Green Lane, Yeadon

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

Members considered a report of the Chief Planning Officer setting out the latest position on proposals for the demolition and retention of dyeworks buildings at Green Lane Yeadon and the erection of a residential development. It was noted that the site was within Yeadon Conservation Area

The extent of the demolition proposed by the applicants was outlined. Members were also shown a plan drawn by the Council's Conservation Officer who recommended the retention of a greater number of buildings

Concerns raised by Leeds Civic Trust; local residents; Councillor G Latty and Councillor Campbell were outlined, which related to the extent of demolition being proposed; the need for the brick chimney to be retained; loss of employment land; loss of mill ponds; poor layout of the proposed residential development and highway issues, including the need for some traffic controls to be included

Members were advised that on the principle of development, although there would be the loss of employment land, other employment sites were close by and as the site was a brownfield, sustainable site the principle of development was considered to be acceptable to Officers

Regarding the extent of the proposed demolition, Officers had concerns about this and wished to work further with the applicant to retain

more of the buildings. Although the applicants had made reference to the comments of West Yorkshire Archaeology Service in support of their position on demolition, these differed from the Conservation Officer's views and that there was a need for more work on this element to enhance the Conservation Area

In relation to the mill ponds, these were significant features and had ecology value, but that if both of these had to be retained, the site would begin to become unviable

Members' views on highways issues were required and some indication on whether the Panel would wish to see the scheme again, if it was recommended for refusal, or whether it would be sufficient to delegate such a decision to Officers

The Panel discussed the proposals and in response to the specific points raised in the report for Members' consideration provided the following comments:

- regarding the principle of development, that a residential or even a mixed-use scheme on the site could be acceptable but concerns existed about the proposal before Panel
- concerning the acceptability and extent of demolition proposed, including the larger brick chimney, that whilst some demolition was accepted, currently too much demolition was proposed; that the larger brick chimney should be retained and the character of the area retained
- in respect of the design and layout, concerns were raised about the proposed use of artificial stone and there should be as much re-use of existing stone as possible; that a more imaginative development layout and was needed as were better house types
- concerning the mill ponds, that there was a need for some recognition of these and their historical importance in the layout
- regarding highways matters, that the proposed access point was not ideal but possibly the least hazardous; that the use of Focus Way as an additional/alternative access was not supported. In respect of pedestrian access, the applicant was asked to investigate further the possibility of an access on to Cricketer's Green
- the need for the site to be developed but that the scheme was not acceptable in its current form and that the applicant should be invited to withdraw the scheme and resubmit the proposals or that the refusal of the current scheme could be deferred and delegated to Officers, based upon the concerns raised by Members

Reference was made to an e-mail sent by the applicant expressing criticism of Officers, with Members stating the comments were unfounded and not helpful to the process

RESOLVED - To note the report and the comments now made

34 Position Statement - Application 13/01941/RM - Reserved Matters application to erect 173 dwellings on land at Bruntcliffe Road, Morley, Leeds, LS27

Plans, photographs and drawings were displayed at the meeting

Members considered a report of the Chief Planning Officer which set out the latest position on a Reserved Matters application for a large residential development on land at Bruntcliffe Road Morley LS27. It was noted that the outline application for the scheme had been approved in principle by South and West Plans Panel at its meeting held on 11th October 2013 (minute 8 refers)

Officers presented the report and provided the following information:

- that 173 dwellings were proposed, although the indicative layout on the outline application showed approximately 168 dwellings
- a single point of access would be provided into the site
- the mix of 2, 3 and 4 bed dwellings were proposed
- the affordable housing at 15% - i.e. 26 units - would be provided and was pepperpotted around the site in six locations
- the use of brick was proposed although it had now been agreed that natural stone would be used on the properties which faced the Conservation Area boundary
- that the applicant had agreed to retain the stone wall on the A650
- access points for the neighbouring site had been included to ensure that site did not become landlocked
- buffer planting would be provided as set out in the outline application; a 3m high combined bund and fence would be provided to help mitigate against possible noise nuisance from nearby traffic and that a detailed landscape scheme was required together with comments from the Environmental Protection Team (EPT) on the acoustic fence
- that further work was required on the design of the buildings
- that concerns existed about the size of some gardens; accessibility to the rear of properties; how the parking was managed on the site, including widths and lengths of driveways. Whilst a revised plan had been submitted the previous day which had sought to address some of these issues, Ward Members and Highways would need to be consulted on this plan
- that bin stores to the front of a number of properties had been deleted from the scheme, with a central access being created to enable rear bin stores to be provided

The Panel discussed the proposals and in response to the specific points raised in the report for Members' consideration provided the following comments:

- on the impact of the proposals on the setting of the Conservation Area, that further work remained but that the concessions made in respect of the stone wall and use of natural stone on some properties were welcomed
- regarding design, that the revisions, particularly the creation of rear bin stores were an improvement

- in respect of landscaping, the need to avoid the creation of large shrubberies was stressed
- on highway safety, some concerns were raised about the use of shared surfaces
- to note the comments made about the adjoining Masonic Lodge land being landlocked
- regarding the impact on residential amenity of adjoining occupiers, it was felt there would not be significant issues, although there was a need to carefully consider the relationship to the Arts and Crafts bungalows adjacent to the site
- on the acoustic fencing proposal, that there was a need to see the EPT response on this matter
- in terms of concerns about flood risk at the site, it was felt this was not an issue

Officers were asked to check that the S106 Agreement on the outline permission specified completion within 2 years

RESOLVED - To note the report and the comments now made

35 Date and Time of Next Meeting

15th August 2013 at 1.30pm