

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 15TH AUGUST, 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 R Wood

### **36 Chair's Opening Remarks**

The Chair welcomed everyone to the meeting and made reference to a request from the Leeds Citizen blog to make an audio recording of the meeting. Prior to the meeting there had been no objections from Elected Members or officers. It was reported that requests for the recording of meetings would be done on a case by case basis whilst a protocol was developed. Councillor Coulson raised objections to the meeting being recorded and informed the Panel that while he would remain in the meeting he would not participate. It was agreed to allow for the meeting to be recorded.

### **37 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

### **38 Minutes**

**RESOLVED** – That the minutes of the meeting held on 18 July 2013.

### **39 Application 12/02712/FU - Woodhouse Street Woodhouse LS6 - Appeal decision**

The report of the Chief Planning Officer referred to an appeal decision against the refusal of an application for a part three storey, part four storey block of cluster flats (112 rooms), retail store at ground floor, associated parking and landscaping.

Members were reminded that the reasons for refusal referred to grounds of over development and that the application did not comply with greenspace guidelines. The inspector suggested that the scale and massing of the application was within the character of the area and greenspace guidelines had been satisfied through the offer of a Section 106 agreement. The appeal was subsequently upheld. As the issues in relation to scale and design had been considered to be subjective, there were no costs applied for.

**RESOLVED** – That the report be noted.

**40      Application 12/03473/FU - 35 Claremont Drive Headingley LS6 - Appeal decision**

The report of the Chief Planning Officer referred to an appeal decision on application to refuse the change of use of a former children's home to a 7 bedroom House in Multiple Occupation (HMO).

Members were reminded of the recent planning history at the property and the reasons for refusal which included the loss of use for a family dwelling and an excess of HMOs in the area. The Inspector did not accept the reasons for refusal and felt that the design, sub-division of the property and lack of rear garden did not make it readily adaptable for a family dwelling and the appeal was therefore upheld. Full costs had been awarded against the Council.

**RESOLVED** – That the report be noted.

**41      Application 13/01965/FU - 6 Rodley Lane Rodley LS13**

The report of the Chief Planning Officer presented an application for the change of use of a vacant shop (A1) to a restaurant (A3) at 6 Rodley Lane, Rodley.

Site photographs and plans were displayed.

The following issues were highlighted in relation to the application:

- The application had been brought to Panel at the request of a local Ward Councillor who supported the application.
- The proposed restaurant would have 35 covers and would open until 11.00 p.m.
- There were six semi-detached properties to the rear of the premises.
- The premises fell within the Rodley Conservation Area.
- There were no concerns regarding the principal of the application as there were other similar premises in the area and no concerns regarding the impact on amenity or the conservation area.
- There were however, concerns in relation to highway safety and car parking. There was space for 6 vehicles at the rear of the premises and guidelines suggested that there should be parking for at least 16. This would lead to associated safety issues with parking on nearby streets.
- The application could be granted without planning permission for a temporary period of 2 years, but it was felt unlikely to do this as it would be more viable for a permanent change of use.
- It was recommended to refuse the application on grounds of highways safety and parking.

The applicant's agent addressed the Panel with reasons against the recommendation to refuse the application. He did not feel that the reasons for refusal represented the exact circumstances. Most staff would use public transport which would not affect car parking and it was felt there was sufficient

space for parking on adjacent streets. A survey had also shown that most customers would be local and live within walking distance.

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

- A local Ward Councillor had never been made aware of problems with parking in this area and was supportive of the application.
- It was felt better to be in use as a local business than a vacant shop premises and the application should be supported.

Members resolved not to agree the recommendation for refusal and moved to delegate the decision for approval.

**RESOLVED** – That the application be delegated to the Chief Planning Officer for approval subject to the inclusion of appropriate conditions.

#### **42 Application 13/000625/FU - Land off Daisy Hill Close Morley LS27**

The report of the Chief Planning Officer presented an application for the erection of 14 detached houses with associated car parking and landscaping on land off Daisy Hill Close, Morley.

Members attended a site visit prior to the hearing and site photographs and plans were displayed.

Issues highlighted in relation to the application included the following:

- The application had been brought to the Panel at the request of local Ward Councillors.
- The site to the rear was a PAS site.
- Negotiations regarding design of the proposed properties.
- Landscaping proposals.
- The Section 106 package – the offer for the education contribution was £32,000 and not £66,692 as outlined in the report.
- Representations had been received from local Ward Councillors, local residents and Morley Town Council.
- It was recommended to defer and delegate the application to the Chief Planning Officer for approval.

A local resident addressed the Panel with objections to the application. Objections included the following:

- A previous application that was refused due to concerns with access and drainage.
- The proposals would cause problems with parked cars.
- Problems for delivery and emergency service vehicles.
- The proposals would leave an area open for young people to congregate too close to houses.

- In response to a Members question, current problems with traffic in the area were described.

The applicant's agent addressed the Panel. The following issues were highlighted:

- Revisions, in excess of normal requirements, had been made to the design and access since the application was originally submitted following discussion with planning officers.
- The site was previously recommended for development in the Unitary Development Plan.
- Section 106 contributions – offers had been made for education and greenspace.

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

- There were conditions attached to the application to ensure that suitable drainage works would be implemented.
- Concerns regarding pressure on the public transport system and increased traffic. It was reported that trains were overcrowded and local bus services did not commence till later in the day.
- Concern regarding proximity to houses at King George Avenue –there would be landscaping to protect amenity.
- Concern regarding the number of developments approved in the local area and related sustainability issues in regard to school places, public transport and highways.

It was moved that the application be refused.

**RESOLVED** – That the application be deferred to allow for a further report to be brought to Panel with proposed reasons for refusal.

#### **43 Application 12/04571/FU - 21 Park Lane Rothwell LS26**

The report of the Chief Planning Officer presented an application for a detached dwelling at 21 Park Lane, Rothwell.

Members attended a site visit prior to the hearing and site plans and photographs were displayed.

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

- The proposals would allow an additional dwelling in the grounds of an existing property.
- The site fell within the Rothwell Conservation Area.
- Letters of objection had been received from nearby residents.

- The application had been brought to Panel at the request of a local Ward Councillor.

A local resident addressed the Panel with objections to the application. These included the following:

- Impact on privacy to neighbouring properties.
- Vehicle access – this would increase noise and pollution. It was felt that plans to demolish an existing garage at the property were not necessary.
- Unnecessary removal of trees.
- The property would be visible to other properties and the public, particularly in winter months.

The applicant's agent addressed the Panel. The following issues were raised:

- The applicant had worked with planning officers to address objections.
- The small detached dwelling which was proposed would be barely visible from elsewhere.
- There would be full landscaping to replace the loss of the small fruit trees that would be removed.

**RESOLVED** – That the application be granted subject to conditions outlined in the report.

#### **44 Application 13/00760/FU - Brown Lane East and Top Moor Side Holbeck LS11**

The report of the Chief Planning Officer presented an application for 24 houses and a block of 18 flats at Brown Lane East and Top Moor Side, Holbeck.

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

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

- The scheme would consist of 3 and 4 bedroom houses and 2 bedroom flats.
- The applicant was unable to meet the full greenspace contribution.
- All technical requirements had been met with regard to highways, water and gas.
- It was recommended to approve the scheme.

Members spoke in support of the scheme particularly the provision of affordable housing. There was some concern regarding the lack of one bedroom properties.

**RESOLVED** – That the application be granted subject to the conditions outlined in the report.

**45 Applications 13/01931/FU and 13/01932/LI - Ling Bob Farm Scotland Lane Horsforth LS18**

The report of the Chief Planning Officer presented an application and listed buildings application for the change of use of barn to a dwelling, extension to existing dwelling, restoration of and extension to former dwelling, erection of an additional dwelling and erection of livery stable block and ménage at Ling Bob Farm, Scotland Lane, Horsforth.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

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

- Some of the listed buildings were in a poor condition and a decision was required before further deterioration.
- Changes to footpath to allow vehicular access.
- Protective measures for Great Crested Newts which could be found on site during development.
- Representations had been received in support of and against the application.
- An archaeological survey was to be carried out at the site.

Local residents addressed the Panel with objections to the application. Main concerns regarded access to the site. These included the following:

- The track to be used for vehicles was currently a popular right of way for walkers which was currently used by very few vehicles.
- The track would not be suitable for extra traffic that would be using it.
- There were no passing places for traffic and this would present a danger to pedestrian users.
- Suggestions of alternate access to the site.

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

- The site had previously been used as stables and for equestrian purposes.
- Two of the buildings on site were in need of repair and permission was required to do this.
- Reference to the previously approved application that had now lapsed.
- Measures that had been offered to alleviate concerns with access to the site.

**RESOLVED** – That the application be granted subject to conditions outlined in the report.

**46     Date and time of next meeting**

Thursday, 12 September 2013 at 1.30 p.m.