

SOUTH AND WEST PLANS PANEL

THURSDAY, 4TH DECEMBER, 2014

PRESENT: Councillor M Rafique in the Chair

Councillors J Akhtar, J Bentley, M Coulson,
B Flynn, G Latty, K Ritchie, C Towler,
P Truswell and F Venner

56 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made. Councillor K Ritchie informed the Panel that he had submitted an objection to Agenda Item 11, Application 14/04720/FU – Variation of condition 3 (range of goods sold) of approval 12/03748/FU, to allow the sale of magazines and national newspapers. This had been submitted prior to the publication of the impact assessment and Councillor Ritchie reported that he would consider the application with an open mind.

57 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors A Castle, R Finnigan and R Wood.

Councillors B Flynn and G Latty were in attendance as substitutes.

58 Minutes - 6 November 2014

RESOLVED – That the minutes of the meeting held on 6 November 2014 be confirmed as a correct record.

59 Application 14/04457/FU - Burton Road, Beeston, Leeds

The report of the Chief Planning Officer presented an application for the demolition of the former police station and construction of a new single storey supermarket and separate retail unit with associated works, car parking and landscaping at Burton Road, Beeston, Leeds.

Members attended a site visit prior to the hearing and site photographs and plans were displayed and referred to during the discussion on this application.

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

- There would be a 100 space car park which would allow customers two and a half hours free parking.
- The proposals were consistent with policy outlined in the Core Strategy.
- The projected impact on highways would meet required standards.

- Due to the amenity of local residents, there had been negotiations regarding opening and delivery hours which would be conditioned as part of any approval.
- The site was subject to a blanket tree preservation order.
- If approved, the proposals would create between 40 and 50 jobs and up to 200 jobs during the construction process.
- Reference was made to representations made in support of and against the application.
- It was reported that there would be an amendment to the Section 106 agreement to provide a further £5,000 for the provision of real time bus information.
- It was recommended to defer and delegate the application to the Chief Planning Officer for approval.

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

- Concerns regarding traffic and parking – it was reported that the applicant had been requested to provide a revised traffic assessment. Traffic regulation orders could be used to impose restrictions if needed.
- Use of the smaller retail unit. It was queried whether the possibility of Class A2 use could be removed to prevent the premises being used for a betting shop or pay day lenders. The Panel was informed that there was already conditions limiting the use of this unit but they did not include Class A2.
- There would be conditions to the application to support the employment of local people.
- Work on the site would commence immediately should the application be approved.
- It was suggested that the stand alone unit on the site be subject to the same opening hours as the main proposed store building. It was reported that these had been left more flexible to encourage the letting of the unit.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report with the following amendment to condition 4:

- Opening hours of the stand alone retail units to be restricted to 8 am and 10 pm Mondays to Saturdays (including Bank Holidays) and any 6 hours between 10am and 6pm on Sundays in line with current Sunday trading restriction

60 Application 14/05329/FU - Old Lane, Beeston, Leeds

The report of the Chief Planning Officer presented an application for the installation of a two pump fully automated petrol filling station with associated 4.5m high canopy, control room and underground storage tanks to the existing car park at Asda Stores, Old Lane, Beeston, Leeds.

Site photographs and plans were displayed and referred to throughout the discussion on this item.

Further issues discussed included the following:

- Opening and delivery hours would be consistent with those of the existing store.
- It was predicted that the filling station would be mainly used by passers-by and existing store users and would not cause a significant increase in traffic.
- Reference was made to representations received, both those in support of the application and those against.
- Conditions would be imposed to mitigate any potential noise impact.
- It was recommended that the application be approved.

In response to Members comments and questions concern was raised regarding additional traffic – it was reiterated that a thorough assessment had been carried out and there would only be a limited amount of additional traffic.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report.

61 Application 14/05508/FU - 207-209 New Road Side, Horsforth, Leeds

The report of the Chief Planning Officer presented an application for the change of use of a private members club to restaurant with manager flat to first floor and external flue to rear at 207 to 209 New Road Side, Horsforth.

Site plans and photographs were displayed and referred to during the discussion on this application.

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

- The application had initially been for 88 covers at the premises but this had been reduced to 60 based on car parking available.
- There had been a recent approval to use the premises as a health centre.
- Concerns had been made by local residents regarding access to the car park and potential for noise and disturbance. It was reported that it had been agreed to have reduced opening hours until 10.00 p.m. to minimise any noise impact.
- It had been agreed to extend the flue at the rear of the premises to minimise smells from the premises and this was in line with Defra guidelines.
- Concern regarding surface water discharge – it was suggested that a condition be included to prevent this affecting residential properties.
- Proposed improvements to bin storage area.

Two local residents addressed the Panel with concerns and objections to the application. These included the following:

- Access was via a single track that was used by neighbouring properties.
- There was not sufficient parking to the number of covers that was proposed.
- Concern regarding collection of bins and smell from refuse.
- The immediate area was already saturated with restaurants.
- Local residents would lose car parking spaces.
- The approval for a Health Centre would be a better use of the building.
- It was reported that the use of the premises as a private club had steadily declined since 1990 and there had been some previous noise disturbance from cars.

The applicant's representative addressed the Panel. Issues highlighted included the following:

- The car parking arrangements were in line with requirements and some users would use alternative means of transport including public transport.
- There would be new signage to the car park via the access road.
- Due to the uneven surface of the access road, traffic would not be able to travel at speed.
- The hours of opening would usually only be 5.00 p.m. to 10.00 p.m. Monday to Thursday and 12.00 p.m. to 10.00 p.m. on a weekend.
- The flue would be installed by specialists and within guidelines. Current extraction was via a ground floor window.
- The restaurant would create two full time and four part time jobs.

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

- Parking on the highway would not be under the control of the restaurant. Car parking was not considered to be an issue and the provision in place met guidelines based on the size of the premises.
- It was anticipated that the restaurant would achieve 75% to 85% occupancy during opening hours.
- Concern was expressed regarding the adequacy of the access road to the car park – it was reported that there was extant use of the access road.
- It was suggested that Members had a site visit prior to making a decision on the application.

RESOLVED – That the application be deferred for one cycle to allow Members to attend a site visit.

62 **Application 14/03987/FU and Application 14/03988/LI - Corn Mill View, Low Lane, Horsforth**

The report of the Chief Planning Officer referred to an application for the demolition of a former corn mill building, erection of two storey offices and a

listed building application to demolish the former corn mill building at Corn Mill View, Low Lane, Horsforth. The application had been deferred following the October meeting of the Plans Panel to allow for further comment from English Heritage.

It was reported that the existing listed building now needed to be demolished due to its poor condition. English Heritage had expressed a preference for a previously proposed scheme but this was no longer felt to be viable. Members expressed concern that the building had been allowed to decay and that this should have been resolved earlier.

RESOLVED – That Application 14/03987/FU be granted as per the officer recommendation and conditions outlined in the report and Application 14/03988/LI be deferred for notification to the Secretary of State

63 Application 14/04720/FU - Aldi, Stanningley Road, Leeds

The report of the Chief Planning Officer presented an application for the variation of condition 3 (range of goods sold) of approval 12/03748/FU to allow the sale of magazines and national newspapers at Aldi Store, Stanningley Road, Bramley.

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

- The applicant wished to sell a limited range of newspapers and magazines to compliment goods already on offer and not to compete with other businesses.
- There would be no quick checkout or self scanning of goods and it was felt that only existing shoppers would purchase newspapers or magazines.
- The impact assessment carried out calculated that the other 21 premises selling newspapers and magazines in the LS13 area would lose on average, £1.13 per day on newspaper sales and £0.66 on magazine sales.
- It was felt that due to the marginal impact on others that the application should be recommended for approval.

An objector to the application was invited to address the Panel. Issues raised included the following:

- During consultation with the applicant before the opening of the store, local residents were told that there would be no sale of newspapers, magazines or cigarettes and as a result there were no objections.
- Other local stores had been affected since the store opened.
- The store had sold newspapers without permission.
- The store had exceeded permitted opening hours on a Bank Holiday.

The applicant addressed the Panel. Issues raised included the following:

- There was no initial desire to sell newspapers and magazines but as the company's business model evolved and customer feedback was taken into account it was proposed to sell a limited range which would only have a minimal impact on neighbouring businesses.
- There would be no highways impact as it was not felt the sale of news and magazines would create additional trips as it would only be existing customers who made purchases.
- Newspapers were sold at other similar stores across the City.

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

- The impact assessment was carried out based on a similar store in the Rotherham area.
- The applicant provided the impact assessment and was also considered by the Council's Retail Office.
- Another application would have to be made if the applicant wished to start selling tobacco products.
- Concern regarding the impact on nearby businesses particularly taken in context of the benefit to the applicant and their reasons for wishing to sell newspapers and magazines.

RESOLVED – That the application be refused in principle and deferred for officers to bring back to Panel with detailed reasons for refusal based upon the negative impact of the proposal on local shops.

64 Date and Time of Next Meeting

Thursday, 15 January 2015 at 1.30 p.m.