

SOUTH AND WEST PLANS PANEL

THURSDAY, 23RD APRIL, 2015

PRESENT: Councillor M Rafique in the Chair

Councillors J Bentley, A Castle, M Coulson,
R Finnigan, M Rafique, K Ritchie, C Towler,
P Truswell, F Venner and R Wood

98 Declarations of Disclosable Pecuniary Interests

There were no declarations of Disclosable Pecuniary Interests.

99 Minutes

RESOLVED – That the minutes of the meeting held on 19 March 2015 be confirmed as a correct record.

100 Application 13/05511/FU - Deanhurst, Gelderd Road, Gildersome

The report of the Chief Planning Officer referred to the variation of condition number 5 (external storage) of planning permission 12/01608/FU (Change of use of former haulage office and HGV parking area to a use Class B8 unit with ancillary offices and trade counter/showroom with external storage to the rear yard area and additional parking provision).

It was reported that there had been additional information received from the applicant following a noise report from Environmental Health and there had been a request to defer this item. Members were asked to consider deferring the item and concern was expressed that due to the time since the original application was approved that it would be unreasonable to allow any further delay. Members did not support a deferral of the application.

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

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

- The site was used for the storage of LPG canisters.
- There were offices adjacent to the site and residential properties to the other boundaries.
- Reference was made to conditions to the original application including the provision of an acoustic fence. It was reported that following the original application and additional conditions applied following consideration by Panel that agreement had still not been reached by all parties for operations at the site.
- Following complaints regarding noise from the sites there had been visits from Environmental Health. On four occasions there were no

problems with noise but on another visits it was noted that there had been regular banging noises.

- The site had a history of industrial uses and had been used for the storage of gas canisters since 2012.

The applicant's representative addressed the Panel. It was reported that the applicant had worked closely with Officers to resolve the outstanding issues and had requested further time to address a noise report that had been produced by Environmental Health.

A local resident addressed the Panel. Issues raised included the following:

- Noise disturbance from the site prevented local residents from enjoying the use of their gardens and conservatories.
- The problems had been ongoing for three years since the change of use at the site.

Further to Members comments and questions, the following was discussed:

- The clear tension between the business and local residents and how to resolve these issues.
- Concern that previous conditions to the application had not been applied and there had not been any progress regarding the provision of acoustic fencing.

•

RESOLVED – That the application be refused as per the officer recommendation outlined in the report.

101 Application 14/04306/OT - 3 Crowther Avenue, Calverley, Pudsey

The report of the Chief Planning Officer presented an outline application for 5 residential properties, new access and layout on land to the rear of 3-5 Crowther Avenue, Calverley, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- There had been a high level of objection to the application.
- A previous proposal for 8 properties at the site had been dismissed.
- All the plots within the site met the criteria for space in between properties.
- Reference was made to a late submission by a Ward Councillor - it was reported that any concerns outlined could be dealt with under a Reserved Matters application which would be brought back to the Panel for consideration.
- Members queried one of the plots and whether it should be subject of a condition that only a bungalow should be erected. It was reported that

this would be subject to negotiation under a Reserved Matters application.

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

1. Removal of permitted development rights for extensions and garages.
2. Submission of a drainage scheme.

102 Application 14/05794/RM - Victoria Road, Headingley

The report of the Chief Planning Officer presented a Reserved Matters application for residential development of 24 dwellings, layout of access roads and associated works at Victoria Road, Headingley.

Site plans and photographs were displayed at the meeting and referred to throughout the discussion on this application.

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

- This application just referred appearance, scale, layout and landscaping to the housing element of the site and not the retail proposal.
- The site fell within a predominantly residential area with high density housing.
- Part of the site fell within the Headingley Conservation Area.
- It was proposed to have 24 terraced houses which would be situated in six blocks of four. Twelve would be three bedroom properties and twelve would be four bedroom.
- All properties would have two off street parking spaces and there would be additional cycle and bin storage areas.
- Public open space at the site would be in excess of minimum requirements.
- The scale and design of the proposals met with guidelines in the Neighbourhood Design Statement and were sympathetic to the conservation area and nearby listed buildings.
- Reference was made to representations received from Ward Councillors, local residents and the South Headingley Community Association.
- There would be an additional condition to the application to address off site highways works.

A member of the South Headingley Community Association addressed the Panel with concerns regarding the application. These included the following:

- Concern that the opportunity for new sports facilities had been lost and a reduction in public open space.
- Increase in the number of bedrooms overall on the development and potential for the properties to be used as Houses in Multiple Occupation (HMOs) and not family homes.

- A lack of affordable housing.
- Further to Members questions, the following was discussed:
 - Concern regarding a demographic imbalance in the area – the sites was surrounded by HMOs and it was felt that the proposed properties with double bedrooms could be used as HMOs. It was reported that the proposed properties would be Class C3 and not open to be used as HMOs.

The applicants' representative addressed the meeting. The following was raised:

- There had been ongoing discussions regarding the application that had led to slight amendments.
- There had not been any concern regarding the design of the proposals.
- The applicant was a housebuilder and the proposals had not been designed for HMOs or student accommodation.
- Families would be the target market for the properties.

Further to Members comments and questions, the following was discussed:

- Measures to keep the properties as Class C3 including restrictions to prevent properties being extended and other rooms within properties being converted to bedrooms.
- Affordable housing contribution – this would be used to purchase vacant properties in the area to be used for family housing.
- Planning permission would be needed to change the use of the properties.
- The proposals met Neighbourhoods for Living guidelines.

RESOLVED – That the application be approved as per the officer recommendation and conditions outlined in the report and with an additional condition to clarify off site highways works in relation to a pedestrian crossing.

103 Application 14/06826/FU - 22 Bridge Wood Close, Horsforth

The report of the Chief Planning Officer referred to an application for the variation of condition 3 of previous approval 14/02722/FU to amend boundary treatment at 22 Bridge Wood Close, Horsforth, Leeds.

Members attended a site visit prior to the meeting and 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 was for the re-siting of part of the properties boundary fence which was erected following permission for a side extension and boundary treatment.
- The application had been brought to the Panel following representations from a local Ward Councillor concerned about the unauthorised siting of the fence. There was also concern regarding the

height of the boundary treatment and restricted views for pedestrians and vehicles.

- The site had been visited by the Public Rights of Way Officer
- It was recommended that the application be approved subject to the conditions outlined in the report.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- The fence had not been sited as originally approved.
- There had not been any enforcement action taken.
- The applicant had encroached on to the public right of way.
- A change of height of the fencing would not address the concerns and it should be returned to how it was or the position as originally agreed.

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

- The applicant had checked with the Land Registry and all work had been carried out within the correct guidelines.
- Reference was made to modifications to the original application that had been done following further consultation with planning officers.
- There had been improvements to the footpath.
- The public right of way had originally been in the wrong place.

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

- Concern that the applicant had not carried out the works as originally approved.
- Timing of the proposed alterations – it was reported that this could be subject to a further condition.
-

RESOLVED - That the application be approved as per the officer recommendation and conditions outlined in the report but with amendment to ensure works carried out within 3 months of approval to reduce height of fence and to ensure no trellising to reduced section.