

SOUTH AND WEST PLANS PANEL

THURSDAY, 22ND SEPTEMBER, 2016

PRESENT: Councillor J McKenna in the Chair

Councillors J Akhtar, B Anderson,
J Bentley, D Congreve, M Coulson,
R Finnigan, E Nash, A Smart, C Towler and
R Wood

23 Election of Chair

Due to the absence of Councillor C Gruen, a nomination was sought to elect a Chair for the meeting. A nomination was made on behalf of Councillor J McKenna.

RESOLVED – That Councillor McKenna be appointed as chair for the meeting.

24 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

25 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors C Gruen and A Smart.

Councillor J McKenna was in attendance as a substitute Member.

26 Minutes - 25 August 2016

RESOLVED – That the minutes of the meeting held on 25 August 2016 be confirmed as a correct record.

27 Application 15/02489/FU - Former Elinor Lupton Centre, Richmond Road, Headingley, Leeds, LS6 1BX - Appeal Decision

The report of the Chief Planning Officer informed Members of the outcome of an appeal regarding Application 15/02849/FU for the change of use from an educational establishment to a public house and associated alterations at the former Elinor Lupton Centre, Richmond Road, Headingley.

Members were reminded that the officer recommendation had been to approve the application but this was overturned at the meeting of the Panel in October 2015 due to concern regarding the impact on residential amenity to local residents and late night noise and disturbance. The Inspector had

acknowledged this impact on residential amenity but had noted that as the premises were situated on the main road and there was already an existing footfall that this was not a major concern. In upholding the appeal, the Inspector also took account of the re-use of a listed building that had not been in use for a long period and had fallen into a poor condition.

Further discussion included the provision of acoustic fencing and use of outside seating areas. Members were made aware of conditions relating to the acoustic fencing and time restrictions to use of outside areas.

RESOLVED – That the report be noted.

28 Application 16/03861/FU - Land to west of Towcester Avenue, Middleton

The report of the Chief Planning Officer presented an application for the erection of 93 houses, new public open space, new roads including link from Throstle Road to Towcester Avenue and associated works at land at Towcester Avenue, Throstle Road and Thorpe Road, Middleton.

Members had visited the site prior to the Panel meeting held in August when a position statement on the application was presented.

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

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

- The proposals consisted of the development of three separate parts of land and an extension to the existing swale.
- Following concerns raised regarding the link road and the need for robust traffic conditions it was reported that final proposals had included speed cushions.
- Members were shown proposed house designs – these had been designed with regard to the Middleton Masterplan and would be built of red brick with grey tiled roofs.
- There was a proposal for the provision of CCTV on the link road which was subject to costs being finalised.
- Education provision – the Department for Education had approved a bid for a two form entry primary school which was due to open in September 2018. It was not felt that there would be a significant impact on secondary education.
- Existing public rights of way would be retained.
- The swale extension was to be re-advertised.
- The application was recommended for approval subject to conditions outlined in the report and finalising agreements for the swale extension and Section 106 agreement.

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

- Further to concern expressed at the previous meeting, there had not been any revision to houses which would have adjacent front doors. In response to further concern, it was reported that adjacent front doors were not untypical on this kind of housing, met all design guidelines and that there were no concerns regarding privacy as soundproofing requirements were met.
- All the affordable housing units would be built to lifetime home standards and would allow adaption throughout the lifetime of the occupant.
- Consultation with local Ward Councillors – off site highways works had remained the only area of concern and it was suggested that further consultation be made a condition of the application should it be granted.
- Each property would have a minimum of two car parking spaces.

RESOLVED – That the application be granted subject to specified conditions and prior completion of a Section 106 Agreement (to secure affordable housing provision, a greenspace contribution, a travel plan, a sustainable travel fund and provisions for local employment) and the suggested conditions with the following additions:

- That the decision to defer and delegate the approval is subject to the expiry of the publicity period following the receipt of a revised plan increasing the extent of the application site to accommodate all of the land required for the proposed swale. If as a result of this publicity any representations are received that raise new and significant planning issues in respect of these specific works then the application will be reported back to Panel for a decision.
- That the Section 106 Agreement includes a clause requiring the provision of Close Circuit Television.

Also, that ward Members are consulted on off-site highway works that flow from this development (including those required by conditions 6 and 7)

(Councillor Nash requested that her abstention in the voting for this application be recorded)

29 Application 16/01656/FU - 43 Moor Flatts Avenue, Middleton, Leeds, LS10 3SS

The report of the Chief Planning Officer presented an application for a part two storey, part single storey side extension and single storey rear extension at 43 Moor Flatts Avenue, Middleton.

Members had visited the site prior to the meeting held in August 2016 when the application had been deferred to allow further negotiation with the applicant.

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

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

- Previous objections received from a local Ward Councillor had been withdrawn.
- With regard to the possibility of moving the extension inwards by one metre, the applicant had said that this was not feasible.
- The proposals would not give a terracing effect as the property next door was a bungalow.
- Members were reminded that ground floor extensions to the side and rear could be carried out under permitted development.
- A sun shadowing projection demonstrated that this would only cause limited shadowing during early to mid-mornings and that this would primarily overshadow the neighbouring drive way.
- The applicant was happy to remove the window from the ground floor elevation.
- It was recommended that the application be approved subject to the conditions outlined in the report.

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

- The only access to the rear of the property would be by going through the house. There would be bin storage to the front and this could be conditioned.
- With regard to concern regarding the proposals to build right up to the boundary, it was reported that although this did comply with guidance, applications of this kind were encouraged to leave gaps in-between boundaries.
- Concern that there had been not been any negotiation that had led to changes to the application since the deferral at the previous meeting.
- Concern regarding the potential for causing a terracing effect, impact on the streetscene and access for maintenance of external walls.

Members voted against the officer recommendation to grant permission and discussed reasons for refusal.

RESOLVED – That the application be refused on reasons relating to the overall mass of the extension and its proximity to the boundary resulting in dominance and overshadowing causing harm to the amenities of the neighbouring residents.