

NORTH AND EAST PLANS PANEL

THURSDAY, 27TH MARCH, 2014

PRESENT: Councillor D Congreve in the Chair

Councillors C Campbell, M Harland,
C Macniven, A McKenna, J Procter,
G Wilkinson, J Harper, M Lyons and
J Hardy

112 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

113 Late Items

The Chair admitted one late item of business to the agenda, which related to application 10/05048/EXT – Application for extension of time for outline planning permission 21/199/05/OT Temple Green – land to the south of East Leeds Link Road (minute 122 refers). A copy of the report had been circulated to Members in advance of the meeting. The reason for urgency in considering the report related to discussions regarding the provision of a park and ride and enabling development which would form the first two phases of development on part of the site. As that element of development would be partly funded by Government money, there was a timescale to this and therefore the application before Panel required determination by 31st March 2014

114 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests, however Councillor Lyons brought to the Panel's attention his membership of the West Yorkshire Integrated Transport Authority as some of the applications made reference to Metro

115 Apologies for Absence

Apologies for absence were received from Councillor R Grahame who was substituted for by Councillor Hardy

116 Minutes

Draft minutes to be approved at the meeting
to be held on Thursday, 17th April, 2014

RESOLVED - That the minutes of the North and East Plans Panel meeting held on 20th February 2014 be approved

117 Application 13/04249/FU -Residential development of 32 one and two bed apartment units with associated landscaping and parking - Land at the junction of East Park Road and Charlton Grove Burmantofts

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought approval of an application by Leeds City Council for a residential development which formed part of the Council's Housing Growth Programme and would provide 32 one and two bed apartment units, in two blocks which would comprise 100% affordable housing

Members were informed that the site was allocated for housing in the UDP and was a brownfield site. The planning contributions which would ordinarily be required in such a scheme would relate to public transport and greenspace. However, Housing colleagues had indicated there could be viability issues if these requirements had to be met. In considering this, the fact that the entire scheme would provide affordable housing and would meet identified need, had led Officers to the view that on balance, these contributions should be set aside in this case

Details of the design of the blocks; amenity space; parking space and proposed materials were provided. A particular feature of the flats was the ability of the units to be reconfigured to enable the two bedroom apartments to convert to one bedroom units and vice versa

As the bin stores had been relocated and two further units could be accommodated in the scheme, the application had been re-advertised

Members discussed the application and commented on issues relating to:

- the age profile of those who would occupy the accommodation
- the proximity of East End Park to the site
- the absence of a financial viability appraisal for the scheme; the inconsistency of this approach and that a viability assessment would be required from a private developer who proposed not to make the usual planning contributions

The Panel discussed the provision of a viability assessment and required this to be provided and evaluated by Officers

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report and the expiration of the further statutory publicity period, subject to no new significant issues being raised in representations and the submission and consideration of a financial viability appraisal

118 Application 13/03881/FU - Four detached houses to paddock - Jewitt Lane Collingham Wetherby LS22

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

Officers presented the report which sought permission for construction of four dwellings within a paddock site at Jewitt Lane, Collingham

Details of the topography of the site; surrounding land uses and the extent of the TPO trees on the site were provided, together with the design of the proposed dwellings

Members were informed that previously the site had been classed as being in the Green Belt but that as set out in the UDP, its status was greenfield so there were no policies to restrict the proposed use, in principle

Reference was also made to the Site Allocations Plan DPD which had identified the site as 'red', i.e. sites not considered suitable for housing. It was stated that the comments in the Site Allocations Plan DPD in respect of the site formed part of an initial site appraisal and was based upon a density of 30 dwellings, whereas the application sought permission for four dwellings

Officers were of the view that the site was in a sustainable location; that the development was well screened from Jewitt Lane and generally fitted in with the other dwellings in the area. Separation distances from the proposed dwellings to the existing adjacent dwellings were provided and Members were informed that the existing public footpath which ran through the site would be retained

A further letter of representation was reported, with the concerns it raised being summarised for Members' information

Errors at paragraphs 10.31 and 10.36 of the submitted report about material considerations and benefits were corrected for Members' information

The Panel heard representations from an objector who provided comments on the application which included:

- sustainability issues
- flooding and drainage issues and the existence of underground springs
- protected trees; the removal of trees and the impact of this on tree roots, leading to possible structural damage
- ecology issues, particularly the presence of bats
- access arrangements
- loss of privacy and loss of views

The Panel then heard from the applicant's agent who provided comments on the application which included:

- that the applicant had worked closely with Officers on the proposals
- that the scheme would preserve the character and appearance of the area
- the proposed screening of the development to preserve privacy of neighbouring residents
- highways issues

Members discussed the application and commented on the following matters:

- sustainability of the site; the proximity of the nearest bus stop and poor pedestrian access arrangements to the nearby village
- highways issues and the ability of Jewitt Lane to accommodate passing vehicles

- trees; the extent of the canopies as shown on the plan and whether tree roots would be damaged by the proposals
- drainage, with Members being informed that a new, lateral sewer would be provided and that the Council's drainage engineer was satisfied with the proposals
- that the principle of development could be accepted but that the proposals as presented raised a number of concerns

The Panel considered how to proceed

RESOLVED - That the Officer's recommendation to approve the application be not accepted and that the Chief Planning Officer be asked to submit a further report setting out possible reasons for refusal of the application based upon the Panel's concerns relating to highways/accessibility; overlooking and harm to residential amenity and impact on character of the area with particular reference to trees and vegetation

119 Application 14/00321/FU - Two storey side extension - 495 Street Lane LS17

Plans, drawings and photographs were displayed at the meeting. A Members site visit had taken place earlier in the day. It was noted that the former Plans Panel East had in 2004, refused an application for a change of use of the property to flats and a two storey side extension

The Panel's Lead Officer presented the application and informed the Panel that the proposals were similar to those which had been submitted in 2004 but that the conversion to flats had been omitted from the scheme which would retain the property in single occupancy and areas of hardstanding significantly reduced

In response to a query, details about the internal accommodation was provided

Concerns were expressed about the number of bedrooms the dwelling would contain and whether a change to flats would be made. Members were advised that any change of use of the accommodation to flats would require planning permission

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

120 Application 14/00852/FU - Two storey, first floor and single storey extension and new first floor side window - 6 Sandhill Oval Alwoodley LS17

Plans, photographs and drawings were displayed at the meeting

Members considered a report of the Chief Planning Officer in respect of alterations and extensions to 6 Sandhill Oval LS17, which had been brought to Panel as the applicant was a Councillor, although he did not sit on any of the Plans Panels

Officers presented the report and outlined the proposals; provided details on the materials to be used and highlighted the main issues for

consideration which related to character and appearance and residential amenity

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

121 Application 12/03841/FU - Detached dwelling to side garden plot - Land adjacent 7 Brookside Alwoodley - Appeal decision

The Panel considered a report of the Chief Planning Officer setting out the Inspector's findings on an appeal against refusal of planning permission for a detached dwelling to side garden plot at 7 Brookside LS17. Members had accepted the recommendation of Officers that the application should be refused, with reasons for refusal relating to design, scale and loss of the mature landscaped garden and that this would cause harm to the character of the area

The Inspector was critical of the orientation of the existing bungalow and supported the Council's view that the proposals represented inappropriate development of a garden

The Inspector also commented on the appellant's criticisms of the Council and how the 2008 application had been dealt with, as the appellant was of the view that rather than refusing the application, Members asked that Officers continue negotiating with the applicant on height and siting of the new dwelling. Members were advised that the official record of the meeting – the approved minutes, which had been included in the submitted report – did not bear out the assertions made by the appellant and that these matters had little relevance to the planning merits of the case. It was the decision of the Inspector to dismiss the appeal

The Chair stated the importance of having factual reports and minutes
RESOLVED - To note the report

122 LATE ITEM - Application 10/05048/EXT - Application for extension of time for outline planning permission 21/199/05/OT (warehouse and distribution development with car parking and landscaping) - Temple Green - land to the South of East Leeds Link Road LS10

Further to minute 53 of the North and East Plans Panel meeting held on 3rd October 2013, where Panel considered an application for an extension of time for a warehouse and distribution development at Temple Green LS10, Members considered a report of the Chief Planning Officer on the outcome of further negotiations which had taken place and which changed several matters relating to the S106 Agreement in respect of triggers and deadlines, with these being outlined in the report before Panel. Appended to the report were copies of previous reports to Panel on the application, together with the relevant minutes

The Park and Ride proposals on part of the site were outlined as was the grant funding arrangements and the timetable to be adopted

Members discussed the application, with concerns being raised about the traffic implications from this and other developments in the area. The

Chair clarified the changes to the application related to S106 payments and triggers and asked that Officers to set up a briefing with Ward Members to discuss the concerns raised

RESOLVED -

- i) To defer and delegate approval of the application to the Chief Planning Officer, (subject to the conditions set out in previous panel reports but subject to minor amendments to enable remediation works to be carried out on site without triggering discharge of conditions) and following completing of a Section 106 Agreement to cover the following matters:

- 1 Repayment of East Leeds Link Road monies to the Homes and Communities Agency
- 2 Travel Plan

In the circumstances where the Section 106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

- ii) That a briefing be arranged for Ward Members on the traffic implications arising from the proposals and neighbouring developments

123 Dates and Times of Next Meetings

Thursday 17th April 2014 at 1.30pm
Thursday 15th May 2014 at 1.30pm