

NORTH AND EAST PLANS PANEL

THURSDAY, 17TH APRIL, 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

124 Chair's opening remarks

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

The Chair announced this would be the last meeting for Helen Atkinson, from Legal Services who was leaving the Authority to take up a new post. On behalf of the Panel the Chair wished Helen well in her new job

125 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED - That the public be excluded from the meeting during consideration of the following part of the agenda designated exempt on the grounds that it is likely, in view of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as designated as follows:

The supplementary information referred to in minute 126 and the terms of Access to Information Procedure Rule 10.4(3) and on the grounds it contains information relating to the financial or business of any particular person (including the authority holding that information). It is considered that if this information was in the public domain it would be likely to prejudice the affairs of the applicant. Whilst there may be a public interest in disclosure, in all the circumstances of the case, maintaining the exemption is considered to outweigh the public interest in disclosing this information at this time

126 Late Items

Although there were no formal late items, the Panel was in receipt of supplementary information in respect of Application 13/02572/FU – Former Whitebridge School Cartmell Drive LS15, which had been circulated to the Panel in advance of the meeting (minute 135 refers)

127 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 Combined Authority, as Metro had commented on some of the applications being considered

128 Apologies for Absence

Apologies for absence were received from Councillor R Grahame. The Chair welcomed Councillor Hardy who was substituting for Councillor R Grahame

129 Minutes

RESOLVED - That the minutes of the North and East Plans Panel meeting held on 27th March 2014 be approved

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

Further to minute 118 of the North and East Plans Panel meeting held on 27th March 2014, where Panel resolved not to accept the Officer's recommendation to approve an application for four detached houses to paddock, Members considered a further report of the Chief Planning Officer which contained possible reasons for refusal of the application, for the Panel's determination

The Panel discussed the proposed reasons, with some concerns being raised about the strength of these and whether they captured all of the issues which had been raised by Panel

RESOLVED - That the application be refused for the following reasons:

1 The Local Planning Authority considers that the proposed dwellings, owing to their siting in relation to Hollybush Green and their elevated position, would appear dominant and would overlook and affect the privacy of the dwellings on Hollybush Green that adjoin the site to the north. Therefore, it is considered that the proposal will have an unacceptable impact upon the living conditions of neighbours, contrary to Policy GP5 of the Council's Unitary Development Plan (Review 2006) and with the guidance contained within SPG 13: Neighbourhoods for Living and the advice contained within the NPPF

2 The Local Planning Authority considers that in the absence of a satisfactory landscaping scheme the proposal to remove the vegetation within the visibility splay at the access point would be harmful to the rural character of the area which is defined by high levels of trees and vegetation. Therefore, it is considered that the proposal will be contrary to Policies GP5 and LD1 of the Council's Unitary Development Plan (Review 2006) and with

the guidance contained within SPG13: Neighbourhoods for Living and the advice contained within the NPPF

3 The Local Planning Authority considers that the proposal would represent an unsustainable form of development owing to the lack of proximity to the public transport network and lack of dedicated pedestrian facilities, contrary to Policies GP5, H4, T2 and T5 of the Council's Unitary Development Plan (Review 2006) and with the advice contained within the NPPF

131 Application 14/01017/FU - New roof to existing garage to side/rear and enlarged canopy to front; retrospective application for outbuildings to rear, enlarged dormer to front and new window to side - Woodthorpe St John's Avenue Thorner LS14

Plans, drawings and photographs were displayed at the meeting

Officers presented a report which sought approval of an application for extensions and alterations to a property known as Woodthorpe, at St John's Avenue Thorner LS14. It was noted that aspects of scheme required retrospective planning permission

Members were provided with a detailed breakdown of the scheme and the key elements to be considered by Panel. An error in the submitted report was highlighted as the Thorner Village Design Statement had not been referenced

Officers were of the view that the proposals would not cause harm to the design and character of the adjoining Conservation Area and that there would be no significant impact on neighbourhood amenity

The Panel heard representations from an objector who provided information which included:

- the proximity of the site to the Conservation Area
- the retrospective elements of the proposals
- design of the proposals and its impact on character and amenity
- that a precedent would be set by granting planning permission

The Panel also heard representations from the applicant's agent who provided information which included:

- the design of the proposals
- the existing cobbles and their re-use, if possible

Members discussed the application with the main considerations relating to:

- the boundary of the Conservation Area
- the boundary treatment and the hope that the cobbles and stone kerbing could be reinstated in St John's Avenue
- that the proposals could be considered to be overdevelopment

The Panel considered how to proceed

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

132 Application 13/04515/FU - Erection of detached bungalow with attached garage and off-street parking - Land rear of 4A Ascot Road Kippax LS25

Draft minutes to be approved at the meeting
to be held on Thursday, 15th May, 2014

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

Officers presented a report which sought permission for a detached bungalow, with garage and parking on a green field site at the rear of 4A Ascot Road Kippax LS25

The planning history of the site was outlined, with Members being informed that the applicant had made several attempts at devising a form of development which could be supported. The application being considered was now a single unit which had generous separation distances from surrounding dwellings and was being recommended to Panel for approval

Members were informed that the applicant's agent had queried the necessity of the condition requiring the removal of Permitted Development Rights but that Officers considered this should form one of the conditions to be attached to an approval

Concerns from neighbours about the impact of the proposals were highlighted

Members considered the application, with the main issues raised relating to:

- vehicular access arrangements
- the design of the dwelling
- residential amenity issues for the resident at 4a Ascot Road and the residents of the proposed dwelling
- Permitted Development Rights
- construction traffic

If minded to approve the application, the Head of Planning Services recommended that the property be pegged out prior to construction to ensure sufficient space was provided for parking

RESOLVED - That the application be granted subject to the conditions set out in the submitted report and an additional condition requiring the retention of the front garden area of the bungalow and that prior to construction, the new property be pegged out. Members were also advised that Building Control would be informed so that in the event they were the authority which processed the Building Control application, they could monitor the works to ensure there was compliance with the permission

133 Application 14/00944/FU - Retrospective application for outbuildings and pigeon lofts to side/rear of dwelling house - Iris House Scott Wood Lane Miles Hill LS7

The Chair advised that a request for site visit had been received from Councillor Dowson on the grounds of the impact of the proposals on the amenity of local residents and the impact of traffic on the narrow access road

RESOLVED - That consideration of the application be deferred for one cycle to enable a site visit to take place

134 Applications 14/00706/FU and 14/00707/LI - Bar THR3 - Single storey extension including raised decking area with glass balustrading and

new bin store to rear of a Listed Building - Bar THR3 - 9 Market Place Wetherby LS22

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

Officers presented the report which sought planning permission and Listed Building consent for an extension and alterations of premises known as Bar THR3, at 9 Market Place Wetherby LS22

The proposals were outlined to Members. As the site was located in a Conservation Area, the Conservation Officer had considered the scheme and was satisfied with the proposals. The possibility of noise disturbance for nearby residents had been highlighted as a local concern. Members were informed that the currently the area was for sitting out in and whilst there could potentially be an increase in the number of people using this area, on balance, Officers considered the proposal was acceptable. An amendment to the condition regarding amplified music was suggested, to further protect against noise nuisance. Regarding hours of use of the area, Members were informed that the agent was willing to discuss these, if noise nuisance became a problem

The Panel heard representations from an objector who provided information, which included:

- the proximity of the site to residential dwellings
- the nature of the extension; that it would have a retractable roof which could lead to noise nuisance
- possible further conditions to prevent noise breakout

Members discussed the application and commented on the following matters:

- the storage of empty barrels to the rear of the premises
- that elements of the existing premises did not have planning permission
- the suitability of bi-folding doors on a stone, Grade 2 Listed Building and that the use of such doors could increase the amount of noise breakout at the premises
- that the area was a sensitive location and that the proposals had to be considered carefully
- that smokers currently used the area proposed for the extension, which could result in smokers spilling out into the car park area, which was closer to residences
- that determination of the application should be deferred for further consideration of the issues raised

The Panel considered how to proceed

RESOLVED - To defer and delegate determination of the application to the Chief Planning Officer to enable further discussions on the issues relating to noise nuisance, how smokers would be accommodated; the location of the bin store and barrel storage; consideration of possible breaches of planning permission and subject to the conditions set out in the submitted report, with an amendment to condition no 4, to state no amplified music or sound (including television) within the extension and deck area and a further condition regarding the hours of use and in consultation with Ward

Members. In the event agreement cannot be reached, that the application be brought back to Panel for determination

135 Application 13/02572/FU - Layout of access road and erection of 44 dwelling houses on land formerly by Whitebridge School - Cartmell Drive Halton LS15

The Chair informed the Panel that a request had been received to defer consideration of this application to enable a meeting to be arranged with Ward Members

RESOLVED - That determination of the application be deferred for one cycle to enable a meeting to be arranged with Ward Members

136 Date and Time of Next Meeting

Thursday 15th May 2014 at 1.30pm in the Civic Hall, Leeds