

NORTH AND EAST PLANS PANEL

THURSDAY, 25TH SEPTEMBER, 2014

PRESENT: Councillor R Charlwood in the Chair

Councillors R Grahame, M Harland,
C Macniven, J Procter, M Lyons,
B Cleasby, S McKenna and C Towler

53 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

54 Exempt Information - Possible Exclusion of the Press and Public

RESOLVED – That, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of the following part of the agenda designated as exempt on the grounds that it is likely, in view of the nature 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 so designated as follows:-

Appendix and supplementary information to Agenda item 15 “Application 13/03606/FU Land and buildings adjacent to Devonshire Lodge, Devonshire Avenue, Lidgett Park, LS8,” referred to in minute 67 is designated exempt under schedule 12A Local Government Act 1972 and Access to Information Rule 10.4 (3) which provides financial information concerning the viability of the scheme.

55 Late Items

There were no formal late items submitted to the report. However with regards to Agenda Item 15 “Application 13/03606/FU – Land and buildings adjacent to Devonshire Lodge, Devonshire Avenue Lidgett Park LS8”, late supplementary information was circulated in advance of the meeting.

56 Declarations of Disclosable Pecuniary Interests

There were no disclosable pecuniary interests declared at this point in the meeting however Councillor J Procter advised the Panel that with regards to Agenda Item 7 – Application 14/01404/FU – Paddock Cottage 7 Moorlands, Boston Spa, Wetherby (Minute 59 refers) – that he knew the land owner and resided in the same village.

57 Apologies for Absence

Apologies were received from Councillors Selby, Wilkinson and Cohen.

58 Councillor Towler was in attendance as substitute for Councillor Selby.
Minutes

RESOLVED – That the minutes of the meeting held on 21st August 2014 be approved as a correct record.

59 **Matters arising**

Minute No.51 PREAPP/14/00001 - Proposed residential development involving demolition of existing buildings, conversion of listed building and new housing comprising circa 92 dwellings with associated parking, public open space and landscaping and conversion of Woodlands to a convenience retail store and car parking - Land at Scarcroft Lodge Wetherby Road Scarcroft - Pre-application presentation

It was noted that further info is still outstanding around the proposals of npower to re-locate; to understand where the existing workforce came from and the sustainability issues which could arise from relocation.

60 **Application 14/01404/FU - Paddock Cottage 7 The Moorlands Boston Spa Wetherby LS23**

The report of the Chief Planning Officer introduced an application for the demolition of an existing house and erection of 4 detached houses at Paddock Cottage, 7 The Moorlands, Boston Spa.

Councillor John Procter set out that he understood that Councillor Wilkinson would have requested a Panel site visit had he been at Panel. Members considered that a site visit was needed before a decision could be made on this application.

RESOLVED – That determination of the application be deferred to enable a site visit to take place.

61 **Applications 14/04228/FU and 14/04229/FU - 6 A Primley Park Avenue Alwoodley LS17**

The report of the Chief Planning Officer introduced an application for the removal of condition 7 of previous approval 13/04870/FU to allow for conversion and alterations to the garage to form a habitable room and alterations to first floor side windows.

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

- The application had been brought to Panel at the request of a ward Member;
- There had been a large number of objections made;
- The potential for a negative impact on neighbouring properties and the street scene;
- That the highways department had made no objections;

- That the location, height and design for the alterations to the garage were all acceptable; and
- The application was recommended for approval.

A local resident spoke with objections to the application. These included the following:

- That the development, by reason of the overall scale of the proposed garage, would be out of character with other properties in the vicinity;
- The development is out of character with other properties in the area and allowing the removal of condition 7 could set a precedent; and
- Concern that to allow the garage to be turned into a habitable space would be overdevelopment of the site.

Further issues discussed by the Panel included concern that the original application did not feature the garage being converted into habitable accommodation and whether any other houses in the locality had converted garages.

RESOLVED – Panel resolved not to accept the officer recommendation that planning permission be granted and requested that officers bring back a report to the next Plans Panel with suggested reasons for refusal based on the overdevelopment of the site which would result in a harmful change to the character of the neighbourhood.

62 Application 14/01568/FU - 20 Carr Manor Avenue LS17

It was reported that a ward Member and the applicant had requested that consideration of the application be deferred as the applicant wished to address Panel. The Panel resolved to defer consideration for one cycle.

RESOLVED – That determination of the application be deferred.

63 Application 14/01937/FU - 67 Ling Lane Scarcroft LS14

Officers introduced an application for the demolition of an existing bungalow and erection of a detached house and double garage.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

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

- The windows to the east and west of the development are non-opening and would be obscurely glazed; and
- The application was recommended for approval.

A local resident spoke with objections to the application. These included the following:

- The proposed development would be a large dwelling that would add one metre to the height of the existing structure;

- The balcony proposed would overlook the neighbouring property; and
- The impact of the dwelling would have a big impact on the area.

The Planning Agent for the applicants spoke in support of the application. The following issues were highlighted:

- The property was purchased by the applicants as it came with the benefit of planning permission to re-develop;
- That the current scheme wasn't a big change nor a significant increase in scale; and
- The proposed scheme would improve the appearance of the building with minimal impact to Ling Lane.

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

- The dimensions and measurements of the proposed scheme and how these would impact upon neighbouring properties;
- The arrangements in place for drainage of the site;
- The appropriateness of the proposal for the location, specifically due to the number of bungalows nearby;
- That the footprint of the site was increasing; and
- Whether the decision should be deferred to establish more facts;

Members voted on whether the application should be deferred. The outcome of this was against deferral;

A motion was made to grant the application in line with officer recommendations. Members voted for the officer recommendation to grant the application.

RESOLVED – That the application be granted subject to the conditions set out on page 53 of the submitted report with additional conditions to be imposed relating to details of a sustainable drainage scheme and existing and proposed ground levels and the finished floor levels for the dwelling.

64 Application 14/03470/FU - 613 Roundhay Road LS8

The report of the Chief Planning Officer introduced an application for a single storey glazed front extension to the restaurant.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

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

- That representations had been received from local traders and were reported at the request of a ward member;

- That the glazing proposed would have no transfers or frosting so as to make the proposed structure as transparent as possible; and
- The number of letters received both objecting to and supporting the application.

An objector to the application addressed the panel. Concerns raised included the following:

- That shops on this parade had a limited footfall and any change to the street layout could damage this further;
- That the parade had many interesting features which catch the eye when passing by; and
- If the application were to be granted it would create a big impact on the street scene and could also set a precedent for similar applications which would further alter the visual appearance of the street.

A local resident spoke in support of the application the issues highlighted included:

- The good reputation of the business built up by the applicant;
- That the footfall generated by the applicant's business was beneficial to the area; and
- That the structure proposed would not be a significant incursion upon the street.

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

- That the footpath outside the row of shops was a wide one;
- Concern about the flow of rainwater down the hill which could possibly collect and pool around the proposed structure;
- The comparisons with other similar structures built in other parades of shops across the city and their effect on neighbouring businesses;
- The possibility for consultation with the Institute for the Blind and the Council's Access Officer on the obstacle that the new structure might create for blind or partially sighted people;
- The type of materials to be used for the proposed structure.

Members voted in favour of the officer recommendation to grant the application permission. It was noted that that Councillors M Lyons and J Procter voted against the recommendation.

RESOLVED – The approval of the applicant be deferred and delegated to officers subject to the conditions set out in report and additional conditions in respect of details of any stickers/transfers/signage to subject to the prior approval of the council and that a scheme to deal with surface water runoff to be submitted for approval. That the council's Access Officer be consulted and that subject to no significant concerns being raised that permission be

granted. If the Access Officer raises significant concerns then a report will be brought back to Panel.

65 Application 14/03819/FU - 10 Raby Park Wetherby LS22

The report of the Chief Planning Officer introduced an application for alterations including raising the roof height; and a single storey rear gable roof extension.

Members attended a site visit prior to the meeting and site plans and photographs were displayed.

Further issues highlighted in relation to the application. Included the following:

- The re-modelling of the dwelling would give increased floor space;
- If the application were to be granted the height of the house would be elevated;
- The proposed first floor rear facing windows would be in the location as the existing dormer windows; and
- The proposed development is within the character of the area.

A local resident addressed the Panel objecting to the application. Issues raised included:

- The height of the roof would be increased which would overlook neighbouring properties; and
- The increase in height would affect the amount of natural light currently enjoyed by neighbouring properties;

The applicant addressed the Panel in support of the application. Comments included:

- All other houses in the vicinity were two story houses and that the applicant's property was the odd one out;
- The development would be in keeping with other properties and constructed using natural stone and sympathetic materials;
- Receiving permission would allow for the better insulation of the property; and
- There would be no change to the footprint of the property.

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

- The lack of any evidence in support of a reduction in natural light currently enjoyed by neighbouring properties;
That shadowing diagrams should be provided;
- That the changes proposed were not significant; and

- The site appeared to be already overcrowded and that the proposed application would make little difference.

Members voted by a majority for the officer recommendation to grant planning permission to the application.

RESOLVED – That the application be approved as per the officer recommendation and the specified conditions outlined within the submitted report. It was noted that Councillor J Procter voted against the recommendation.

66 Application 14/01805/FU - Land to the rear of 16 Park Avenue Roundhay LS8

The report Chief Planning Officer introduced additional information relating to Minute 42. Of the North and East Plans Panel meeting held on 21st August 2014, where the Panel deferred determination of an application for a detached dwelling to a garden plot.

Site plans and photographs were displayed.

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

- The design had not changed since the application was last heard at the Panel;
- The drainage connects to the existing drainage system; and
- That the applicant proposes to retain the existing in and out driveway and does not propose to provide a wholly segregated access to the new dwelling.

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

- The drainage of water from the property and how this would operate;
- The approach taken by officers to evaluate this application in line with previous similar applications; and
- The common approach driveway to the dwelling and the intention to reduce unnecessary turning arcs.

Members voted against the officer recommendation to grant permission and Members resolved that the application should be refused.

RESOLVED – Panel resolved not to accept the officer recommendation that planning permission be granted and requested that officers bring back a report to the next Plans Panel with suggested reasons for refusal based on the design of the proposed house and its impact upon the character of the area.

67 Applications 14/03111/FU and 14/04107/FU - Sandbeck Lane Wetherby LS22

The report of the Chief Planning Officer presented an application for a detached grain store and detached storage building. The decision had previously been deferred on 21st August 2014 at North and East Plans Panel (See Minute. 49) so that additional information could be obtained.

Site plans and photographs were displayed.

Members were informed that Harrogate Borough Council, whose border the application affected, had no objections to the application and that the recommendation was to grant permission for the application.

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

- The style and type of building to be erected on the site;
 - The usage of the buildings if the application was to be granted;
- That the applicant had and had erected a number of agricultural buildings in the locality and some had been converted to other uses and others let to tenants. Some of the land associated with these existing buildings had been sold; and
- The need for the Panel to see the whole site in order to make an informed decision and the general lack of information surrounding the application.

Members voted against the officer recommendation to defer and delegate approval to the Chief Planning Officer and resolved that the applications be refused.

RESOLVED – Panel resolved not to accept the officer recommendation that planning permission should be granted and requested that officers bring back a report to the next Plans Panel with suggested reasons for refusal based on the size and siting of the buildings and their visual impact.

68 Application 13/03606/FU - Land and buildings adjacent to Devonshire Lodge, Devonshire Avenue Lidgett Park LS8

The report of the Chief Planning Officer presented an application for demolition of existing buildings and erection of part three and part four storey later living retirement housing accommodation with 41 residential units, communal facilities, landscaping and car parking. The application had previously been deferred at the North and East Plans Panel meeting held on 21st August 2014 (See Minute No. 43) for further negotiations on the level of the S106 package.

Site plans and photographs were displayed.

Following the introduction of the item, the Committee agreed that members of the public should be excluded so that an appendix, considered to be exempt, under Schedule 12A Local Government Act 1972 and in terms of Access to Information Procedure Rule 10.4 (3) providing financial viability information, could be discussed.

The Area Planning Officer summarised the discussion noting that there had been lots of discussion with regards to viability of the scheme. He also noted the potential loss of a viable office and an affordable housing scheme if this application was to be granted.

Members commented that they had carefully listened to all the comments made by the district valuer and the report provided which would guide them in making a decision.

Members voted against the officer recommendation to defer and delegate approval to the Chief Planning Officer. The application was refused.

RESOLVED – Panel resolved not to accept the officer recommendation that planning permission should be granted that the application be refused for the reasons outlined at paragraph one of the submitted report.

69 Date and Time of Next Meeting

Thursday 23rd October 2104 at 1:30pm.