

NORTH AND EAST PLANS PANEL

THURSDAY, 8TH JANUARY, 2015

PRESENT: Councillor R Charlwood in the Chair

Councillors M Harland, C Macniven,
J Procter, G Wilkinson, M Lyons,
B Cleasby, B Selby, S McKenna, D Cohen
and E Nash

107 Chair's opening remarks

The Chair welcomed everyone to the first North and East Plans Panel of 2015 and introduced Tim Hill, the new Chief Planning Officer. The Chair then asked Members and Officers to introduce themselves

108 Application 14/00927/UHD3 - Reighton House Moor Lane East Keswick LS17 - request to withdraw the report from the agenda

With reference to agenda item 13, application 14/00927/UHD3 – Reighton House Moor Lane East Keswick LS17, the Panel's Lead Officer informed Members that a number of issues had been raised about the grant of the 2013 Certificate of Proposed Lawful Development which required further investigation. In view of this, Officers were requesting that the report be withdrawn from the agenda and be resubmitted to a future meeting

RESOLVED - That the report be withdrawn to enable the issues raised to be investigated and that a further report be submitted to Panel in due course

109 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest, however Councillor Cohen brought to the Panel's attention that the proposals for a new medical centre related to his Ward and to guard against any suggestion of pre-determination, he would move to the public gallery when the pre-application proposals were considered (minute 115 refers)

Councillor Macniven brought to the Panel's attention that application 14/02769/FU – 24 Wetherby Road LS8 and application 14/05151/FU – 6 Roper Avenue LS8 were located in her Ward (minutes 114 and 116 refer)

Councillor Selby brought to the Panel's attention that he was a patient at one of the surgeries concerned in respect of proposals for a new health centre at King Lane and that a close family member was a patient at the other surgery referred to (minute 115 refers)

110 Apologies for Absence

Apologies for absence were received from Councillor Grahame, who was substituted for by Councillor Nash

111 Minutes

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

112 Application 14/03383/FU - part two storey part single storey rear extension - 16 Valley Terrace LS17

Further to minute 99 of the North and East Plans Panel meeting held on 27th November 2014, where Panel resolved not to accept the Officer's recommendation to approve a part two storey, part single storey rear extension at 16 Valley Terrace LS17, Members considered a further report of the Chief Planning Officer setting out suggested reasons for refusal based upon the concerns raised by Members

It was noted that reference to No. 14 Valley Terrace in the report before Panel was incorrect and should refer to No. 15 Valley Terrace

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

The proposed development by reasons of its overall mass, extent of projection and proximity to the common boundary with No 15 Valley Terrace will result in a dominant and overbearing form of development that would overshadow the adjoining property causing harm to the amenities of the residents of that property. Therefore the proposal is contrary to Core Strategy (2014) Policy P10, Leeds Unitary Development Plan (Review 2006), saved Policies GP5 and BD6 and Policy HDG2 of the Leeds Householder Design Guide (2012) and the guidance within the National Planning Policy Framework (2012)

113 Application 14/05078/FU - Demolition of existing cottage and erection of new dwelling with detached garage - The Old Forge Cottage Forge Lane Wike LS17

Further to minute 104 of the North and East Plans Panel meeting held on 27th November 2014, where Panel resolved to defer determination of a application for demolition of the existing dwelling and the erection of a new dwelling and garage, Members considered a further report

The Panel was informed that the applicant had lodged an appeal against non-determination and therefore Panel could not determine the application, however a steer as to how Members would have determined the application was requested

RESOLVED - That had Panel been able to determine the application it would have refused planning permission for the following reason:

The Local Planning Authority considers that the proposed dwelling is inappropriate development within the Green Belt as it is materially larger than the building it replaces. It thus falls outside the list of exceptions to the restrictive approach to development within the Green Belt detailed in local and national planning policy. Inappropriate development is, by definition, harmful to the Green Belt, and as the very special circumstances forwarded with the application are not considered to outweigh the identified harm, the proposal is considered contrary to the aims and intentions of saved policy N33 and guidance contained within section 9 of the National Planning Policy Framework

114 Application 14/02769/FU - Retrospective application for amendments to workshop - 24 Wetherby Road Roundhay LS8

Further to minute 97 of the North and East Plans Panel meeting held on 27th November 2014, where Panel resolved not to accept the Officer's recommendation to approve a retrospective application for amendments to a workshop, to consider a further report of the Chief Planning Officer setting out suggested reasons for refusal of the application based upon the concerns raised by Panel

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

1 The Local Planning Authority considers that the proposed development is unacceptable as it would result in an outbuilding of a size that would not be in keeping with the established character and appearance of the Conservation Area by reason of a combination of its extent and height. Therefore the proposal is contrary to Core Strategy (2014) Policies P10 and P11, saved Leeds Unitary Development Plan (Review 2006), GP5, BD6, N19 and with Policy HDG1 of the Leeds Householder Design Guide and with advice contained within the Roundhay Conservation Area Appraisal (2004) and guidance contained within the National Planning Policy Framework (2012)

2 The proposed development by reasons of a combination of its overall mass, extent of projection and proximity to No. 26 Wetherby Road, will result in a dominant and overbearing form of development that would overshadow the adjoining property causing harm to the amenities of the residents of that property. Therefore the proposal is contrary to Core Strategy (2014) Policy P10, Leeds Unitary Development Plan (Review 2006) saved Policies GP5 and BD6 and Policy HDG2 of the Leeds Householder Design Guide (2012) and the guidance within the National Planning Policy Framework (2012)

115 PREAPP/14/00795 - Pre-application presentation - Alwoodley Medical Centre - Land off King Lane Moortown LS17

The Chair agreed to consider the pre-application presentation at this stage

At this point, Councillor Cohen chose to withdraw from the Panel and took a seat in the public gallery

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

Members considered a report of the Chief Planning Officer setting out pre-application proposals for a new medical centre on an area of undeveloped Green Space and Urban Green Corridor at King Lane Alwoodley. The Panel also received a presentation from the applicant's architects and considered information provided by two of the GPs involved in the proposals

The main details provided related to:

- the need for the development; that the proposals would see the merging of two surgeries in one, purpose-built surgery which would provide sufficient space for all the GPs in the practice and could enable more patients to be taken on at the practice
- that a pharmacy would be included on site
- the work undertaken in searching for a suitable site; that the original location had proved problematic to develop in view of the constraints of major electricity cables and a water main which could not be moved and that the revised siting, further north was now proposed
- the sustainable credentials of the proposals, with the BREEAM excellent standard being pursued
- that the new medical centre would form a community hub alongside the nearby church and care home and would provide better highways access
- the level of car parking proposed, this being 59 spaces, with four being disabled parking spaces
- that the former bus terminus would be treated and then restored to green space by way of compensation for the impact of the new building
- that the cycle and pedestrian routes would be retained, with connectivity being enhanced
- that additional tree planting would be provided
- that the proposed materials would be sensitive to the locality and would weather well

Members then heard representations from Councillor Buckley, a local Ward Member who stressed the need for this facility in the area and was supportive of the proposed restoration of the area of green space

The Panel considered the proposals and commented on the following matters:

- the provision of a pharmacy on the site and the rules around the proximity of these in relation to other pharmacies. Members were informed this would be a relocation of an existing pharmacy and that this element was required as part of the scheme for funding purposes
- the design of the proposed medical centre with concerns about the square shape of the building, and concerns at its 'boxiness';

the flat roof design and that this was not in keeping with surrounding buildings and that as shown, the building did not sit comfortably in its surroundings

- the need to future proof the design of the building
- the level of car parking being proposed, particularly the limited number of disabled parking spaces. Members were informed that further consideration of this would be given and that the appropriate ratio of disabled parking spaces would be provided
- whether the car parking for the surgery would be managed to prevent people using the spaces rather than the nearby Park and Ride
- access and highways issues; the need to consider provision of a right turn lane on King Lane and vehicular access from Saxon Mount
- the possibility of the two houses which currently formed the existing surgeries being returned to housing use
- the need for further details of the green space mitigation and compensatory measures and for Officers dealing with the site allocations process to be made aware of these proposals

In response to the specific questions set out in the submitted report, Members provided the following comments:

- that in this particular case and having regard to the needs of the community, Members supported the principle of the development in this Green Space and Urban Green Corridor location but that it should not form a precedent for future development
- in relation to the proposed mitigation and compensatory measures for the loss of Green Space and Urban Green Corridor, that further information was required on the level of greenspace provision in the area and whether the proposals would lead to a shortfall of greenspace and if so, how this could be compensated for
- to note the concerns raised about the design proposals and the need to ensure that possible noise nuisance from plant and equipment, affecting amenity, is mitigated against. Concerns were expressed about the extent of amendments discussed by Panel and that these should not be so great as to negatively impact on the budget for the proposals
- on access and highways, that further investigations should take place in respect of the provision of a right turn lane on King Lane; the possibility of providing vehicular access from Saxon Mount and the level of parking being proposed, particularly the number of disabled parking spaces

RESOLVED - To note the report, the presentation and the comments now made

Councillor Cohen re-joined the meeting at this point

116 Application 14/05152/FU - Retrospective application for amendments to previously approved application 13/00563/FU - alterations to eaves height, amendments to windows and doors, amendments to internal layout to include attic rooms, new solid roof to form porch canopy to front and new outbuilding to rear - 6 Roper Avenue Leeds LS8

Further to minute 96 of the North and East Plans Panel meeting held on 27th November 2014, where Panel resolved not to accept the Officer's recommendation to grant retrospective approval for amendments to a previously consented scheme at 6 Roper Avenue, the Panel considered a further report of the Chief Planning Officer, which included a suggested reason for refusal of the application based upon the concerns raised by Members, together with possible conditions if Panel was minded to grant planning permission

Plans and photographs were displayed at the meeting

The Panel's Lead Officer informed Members that since the last meeting, the applicant had revised the proposals. Details of what had been considered by Panel in November 2014 were outlined as were the proposed revisions

The receipt of six further objections was reported and additional comments made by Councillor Urry were read out for Panel's information

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

- the amendments to the porch which were an improvement on the previous proposals
- the revised wall height
- the need to ensure that all of the issues associated with the application were satisfactorily resolved

The Head of Planning Services suggested that as this was a retrospective application, a timescale should be put on the works to be undertaken

The Panel considered how to proceed

RESOLVED - To defer and delegate approval to the Chief Planning Officer, subject to the conditions set out in the submitted report and in consultation with Legal Services on the best way to secure the implementation of the revisions to the house as built

117 Application 14/03167/FU - Change of use of vacant ground floor shop (use class A1) to take away hot food shop (use class A5), - Former Newsagents Main Street Collingham LS22

Further to minute 102 of the North and East Plans Panel meeting held on 27th November 2014 where Panel deferred determination of an application for a change of use of a vacant ground floor shop - A1 - use class to A5 use – hot food take-away for additional information on opening hours, Members considered a further report of the Chief Planning Officer. A Members site visit had taken place earlier in the day

Officers presented the report and advised that having considered the request for later opening times, they were of the view this could not be

supported having regard to the proximity of the premises to residential dwellings and the impact of the later evening use on residential amenity. Following further consultation on proposed later opening times, 9 objections had been received

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

The Local Planning Authority considers that the proposed A5 take-away use by virtue of the later evening use of the premises and associated increase in late evening traffic movements and customer activity would result in a level of disturbance that would have an unacceptably adverse impact on the residential amenity of neighbouring residents. The application is therefore contrary to the requirements of saved Unitary Development Plan (Review) Policy GP5, criteria (i) and (ii) of adopted Core Strategy Policy P3 and guidance contained within the National Planning Policy Framework

118 Application 14/06110/FU - Two storey rear, single storey side extension - 9 Fieldhead Drive Barwick in Elmet LS15

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which related to an application for a two storey rear and single storey side extension to 9 Fieldhead Drive LS15. It was noted that the site was located within the Green Belt and whilst a number of surrounding properties had been extended, the majority of these had been done so prior to the adoption of the Householder Design Guide which limited the extent to which properties within the Green Belt could be extended up to 30%

The planning history of the site was briefly outlined, with it being noted that an application for a two storey rear extension, resulting in an increase in volume of 62% had been refused by Panel at its meeting on 24th July 2014 (minute 30 refers). A Members site visit had been undertaken prior to the meeting in July

The application before Panel would result in a volume increase of 62% and was considered to be disproportionate, with the recommendation before Panel being to refuse the application. No very special circumstances had been demonstrated in this case to outweigh the harm to the Green Belt through inappropriate development

Members were also informed that a Prior Approval application had been submitted and that the Government had recently changed the regulations regarding this to allow rear extensions of up to 8 metres to detached residential dwellings provided there were no objections from neighbours. In this case no neighbour objections had been received but Officers were of the view that little weight should be given to that fallback position

An error in paragraph 10.4 was corrected to state that the applicant's agent did not consider the extension to be disproportionate

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

- the applicant's needs for their family

- the level of support for the proposals locally from neighbours and the Parish Council
- the reliance of Officers on the Householder Design Guide which did not take into account the NPPF
- that policy N33 was out of date, with this being demonstrated recently at appeal
- that limiting the volume increase of dwellings in the Green Belt by 30% related more to large dwellings rather than modest houses
- the volume increase of the permitted development scheme was larger, at 82%

The Panel discussed the application, with the following matters being raised:

- the difficulty of this decision; an appreciation of the needs of the family and the support the proposal had attracted within the local community
- an understanding of the seeming unfairness of the situation when surrounding householders had been able to extend their properties in the past
- the need to adhere to the Council's policy
- that the proposals were reasonable

The Panel considered how to proceed

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

The Local Planning Authority consider that the proposed extensions, by virtue of their overall height, scale and siting, represent a disproportionate addition to the dwelling which would also harm the openness and character of the Green Belt, and which are therefore considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and as no very special circumstances have been demonstrated, the proposal is considered contrary to the aims and intentions of policy N33 of the Leeds Unitary Development Plan (Review) 2003, policy HDG3 of the Householder Design Guide as well as guidance contained within the National Planning Policy Framework

119 Date and Time of Next Meeting

Thursday 5th February 2015 at 1.30pm in the Civic Hall, Leeds