

SOUTH AND WEST PLANS PANEL

THURSDAY, 19TH FEBRUARY, 2015

PRESENT: Councillor M Rafique in the Chair

Councillors J Akhtar, J Bentley, A Castle,
M Coulson, R Finnigan, K Ritchie,
C Towler, P Truswell, F Venner and
R Wood

72 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves for the benefit of the public present at the meeting

73 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 appendix to the main report referred to in minute 83 under Schedule 12A Local Government Act 10.4(3) and on the grounds it contains information relating to the financial or business affairs 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

74 Late Items

Although there were no formal late items, the Panel was in receipt of supplementary information in respect of application 14/04994/FU (minute 83 refers), which had been circulated in advance of the meeting

75 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interest, however in respect of applications 14/00905/FU and 14/07015/FU – relating to the Headingley Carnegie Stadium, Councillor Bentley brought to the Panel's

attention that he was a member of Yorkshire County Cricket Club (minutes 81 and 82 refer)

In relation to application 14/04994/FU – Mount Cross 139 Broad Lane Bramley LS13, Councillor Ritchie referred to the report which indicated that all Ward Members were supportive of the application. As a Ward Member for Bramley and for the avoidance of doubt, Councillor Ritchie stated that he had an open mind regarding the proposals

76 Minutes

RESOLVED - That the minutes of the South and West Plans Panel held on 15th January 2015 be approved

77 Matters arising

With reference to minute 68 of the South and West Plans Panel meeting held on 15th January 2015, in respect of application 14/03674/FU – Haigh Moor Road West Ardsley, the Head of Planning Services stated that the applicants had asked for a view on whether the Panel would be likely to view favourably a resubmission of the refused scheme. The Panel confirmed it would not

78 Application 14/06291/FU - Two storey and single storey extensions to front, side and rear and dormer window to rear - 4 The Fairway, Stanningley, Pudsey

Plans, drawings and photographs were displayed at the meeting
Officers presented a report on an application for extensions and alterations to 4 The Fairway Pudsey which were being sought to create additional space for an occupant with disabilities

Whilst Officers were content with the proposals for the ground floor of the dwelling which would cater for the needs of the occupant with disabilities, there were concerns about the roof design to the first floor extension and that this would not be subordinate to the host property

A compromise scheme had been suggested by Officers to the applicant which left the ground floor alterations as proposed but reduced the size of the first floor accommodation. Unfortunately this proposal was rejected by the applicant and the report before Panel was recommending refusal of the scheme

Members discussed the proposals

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, size and scale represent an incongruous and disproportionate addition to the dwelling which would appear overly dominant, which would also significantly unbalance the symmetry with the adjoining property, causing harm to the character and visual appearance of the wider

street scene, contrary to Policy P10 of the Core Strategy, retained UDP Policies GP5 and BD6 along with HDG1 and HDG2 of the Householder Design Guide

79 Application 14/06039/FU - Side extensions to existing factory, rear courtyard canopy and new sugar silo to rear, new HGV service/parking yard to rear and new staff car park to front - Britvic, Swinnow Industrial Estate, Swinnow Lane, Swinnow, Leeds

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

Officers presented the report which sought approval to extensions and alterations at the Britvic Factory, Swinnow Industrial Estate, which had been been operating on the site since 1974

The proposals were outlined to Panel with Members also being informed of the extent of the investment in the business and new jobs the development would create

Members were advised that the applicant's original proposals had attracted 21 objections, mainly relating to the impact on residential amenity. It was noted that residential dwellings were located close to the site and that a new residential estate situated opposite the site had been completed recently. Following notification of the revisions made to the scheme local residents had been given further opportunity to comment

In terms of distances from the proposed staff car park to the residential dwellings, these were acceptable to Officers. The level of staff parking had also been reduced from 185 to 145, with Highways being satisfied on this level of provision. Local concerns had also been raised about the 24 hour use of the site, however as this already took place, it was considered unreasonable to restrict the hours of use as part of the application under consideration

In relation to boundary treatments, acoustic fencing would be provided and the existing conifers on the site would be conditioned to be maintained to at least 5.5 metres in height

The Panel heard from an objector who attended the meeting and outlined his concerns about the application which included:

- the scale of the development
- the proximity of residential development
- impact on residential amenity and concerns about the impact of the construction process

The Panel then heard representations on behalf of the applicant who provided information to Members which included:

- the nature of the initial consultation with local residents; an acceptance this could have been better and that improvements to this had now take place
- that the scheme had been amended in response to matters raised in the consultation
- the extent of the investment in the plant and the jobs which would be created

- the need for condition 9, which related to switching off reversing beeps on HGVs within the rear loading bay area to be reconsidered as this raised health and safety issues, particularly for third party drivers which were used by the company

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

- noise nuisance and the mitigation measures being proposed. The Chair invited the applicant's noise expert, who was in attendance to respond to questions from the Panel
- the number of complaints received by the company relating to noise nuisance. The applicant's representative stated the company received a small number of complaints on this, with one being received last year which had now been resolved
- condition 9; the implications of this for the applicant and whether the condition could be lawfully enforced

The Head of Planning Services suggested if the Panel was minded to approve the application, that condition 9 be reworded to require the submission and agreement of a noise management plan for the evening hours and for the agreed scheme to be monitored. Additional conditions were also suggested to control the lighting to the car park and on the building, in the interests of protecting residential amenity

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; the rewording of condition 9 to require the submission and agreement of a noise management plan for the evening hours and for the agreed scheme to be monitored and two additional conditions relating to the control of lighting to the car park and the building

80 Application 14/00905/FU - Change of use, extensions, part demolition and alterations to form 32 extra-care apartments and ancillary facilities for older people - 29-31 Moor Road, Headingley, Leeds

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 approval for extensions and alterations to 29-31 Moor Road Headingley LS6, which was situated in the Far Headingley Conservation Area. The proposals were to create 32 extra care apartments for people aged 60 or over who had a personal care requirement, each with an accompanying family member or person with a close personal relationship to the occupier

The proposals were outlined to Members with details of the separation distances from the property to neighbouring dwellings being provided. To assist the Panel, a graphic submitted by the applicant was circulated, for information

Members were informed that the applicant had engaged with the Council over the design of the scheme; that it had been through the Design Review Panel, with Officers considering the proposals represented a positive solution for the site

The receipt of three additional letters of representation was reported, one from Councillor S Bentley which was read out to Panel

Members heard representations from an objector who attended the meeting and outlined his and neighbouring residents' concerns about the proposals, which included:

- the impact of the proposals on those residents who lived closest to the property
- concerns about overlooking
- the separation distances
- that some of these issues could be mitigated against
- the approach of the applicant

The Panel discussed the application and commented on the following matters:

- the possibility of reconfiguring the accommodation or reducing the number of units to provide a better outcome for the immediate neighbours. Members were informed that five iterations of the scheme had been considered and that the applicant had indicated the level of units being provided could not go below 32 for viability reasons. Officers had looked at similar schemes for comparative purposes, with these being larger at between 40-50 units. Details were also provided of the revisions which had been made to the scheme to lessen its impact on adjacent residents
- the appearance of the property. The Council's Conservation Officer advised there were no proposals to clean the stonework of the existing dwellings to match the stone of the new build element of the scheme
- the location of the bin store
- separation distances; that the report did not set out the full extent of these and that not all of these met the Council's guidelines
- the level of car parking provision at 18 spaces, with concerns this was not sufficient to cater for residents, staff and visitors etc
- the design of the hipped roofs to the flat roofed section of the existing building
- the absence of an image showing the proposed scheme from 25 Moor Road

The Panel considered how to proceed. Although noting the high quality care provided by the applicant in such settings, Members were of the view that currently there were several issues with the application which required further consideration

RESOLVED - To defer determination of the application to enable Officers to negotiate amendments to the scheme to reduce the impact on 25 Moor Road and provide an image of the scheme viewed from the side garden of this property; to give further consideration to the impact of the proposals to the houses to the rear of Castle Grove Avenue; the relocation of the bin store; that car parking levels be reconsidered as well as the design of the hipped roofs to the flat roofed section of the existing building and for the Chief

Planning Officer to submit a further report on these matters to Panel in due course

81 Application 14/07210/COND - Discharge of planning conditions 3, 4 and 7 of application 13/05526/FU: installation of four floodlights, sub station and associated infrastructure to cricket ground - St Michael's Lane, Headingley, Leeds

Further to minute 142 of the South and West Plans Panel held on 29th May 2014, where Panel resolved to grant permission for permanent flood lighting at Headingley Stadium, subject to the detailed design of the floodlights being brought to Panel for review, Members considered a further report of the Chief Planning Officer

Plans, photographs and a photo montage were displayed at the meeting

Members were informed that although the column heights would be the same they would be slimmer and a bespoke, purpose-design in the form of a Yorkshire Rose was now proposed for the floodlights. It was stated that the need for an electricity sub-station as part of the scheme was no longer required

The Panel considered the proposals and commented on the environmental credentials of the proposed floodlights and the ability of the system to cope without impact on other circuits in the event of a power failure

RESOLVED - i) To discharge planning conditions 3, 4 and 7 of planning permission 13/05526/FU subject to the development being carried out in accordance with the details and plans listed in the submitted report

ii) That information on the local effects of a power failure of the floodlights be provided to Councillor Bentley

82 Application 14/07015/FU - Temporary change of use of cricket stadium and educational facilities to accommodate up to three music concerts per calendar year for a period of two years - Headingley Carnegie Stadium, St Michael's Lane, Headingley, Leeds

Plans and photographs of the site were displayed at the meeting

Officers presented the report which related to a renewal of a temporary planning permission to accommodate concerts at Headingley Carnegie Stadium

Members were informed that the application was identical to what had been approved in 2012, with the material planning changes which had been introduced since that time being outlined to Panel for information. In view of the granting of planning permission for floodlights, a condition had been included to prevent their use in connection with this application

It was the view of Officers that the proposed conditions would mitigate the impact of this use for local residents; that a noise level had been set as had the capacity for music events; that an event management plan was required at least four months before any event taking place; that only a

temporary permission was being recommended and the use would be monitored

Officers advised that two Ward Members had objected to the application

The Panel discussed the proposals, with the main issues considered being:

- the financing of the policing and marshalling of the music events. The Head of Planning Services advised that discussions took place with West Yorkshire Police about policing and marshalling plans for events and that how these were financed would be part of the discussions
- publicity material; that the first concert had already been announced, together with ticket availability and that the granting of planning permission looked to the public like a fait accompli. The Head of Planning Services advised Members their role was to make a planning decision on the planning merits of the application. As the Panel had previously considered the scheme it seemed as if the applicant was anticipating the same decision but that Members were unfettered by this. The importance of probity was stressed and that until Yorkshire Country Cricket Club had planning permission, music events at the ground could not take place
- the monitoring of events and the need to formalise this task to the Stadium Liaison Group, which was chaired by a Ward Member

The Panel considered how to proceed. It was noted that representatives of the applicant were in attendance and were now aware of Members' concerns about the way YCC had dealt with this matter

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

Following consideration of this matter, Councillor Finnigan left the meeting

83 Application 14/04994/FU - Change of use and alterations to hostel to form 29 self-contained flats, detached blocks of 31 new flats and 23 new houses; laying out of access road and associated parking and landscaping - Mount Cross, 139 Broad Lane, Bramley, Leeds

Plans, photographs and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day. The Officer's report was accompanied by information relating to the financial viability of the scheme as not all of the required planning contributions were being offered. The Panel was satisfied with the content of this information and the public were able to remain in the meeting

Officers presented the report which sought permission for 83 affordable housing units through the refurbishment of an existing vacant building and 54 new build units with car parking and landscaping at Mount Cross, 139 Broad Lane Bramley LS13

Details were provided in respect of:

- occupancy conditions – with the refurbished block being restricted to over 55s and on a rental basis only
- landscaping; tree loss and mitigation planting
- materials
- access arrangements

Concerning the financial viability assessment, it was noted that the District Valuer having considered the figures provided by the applicant had concluded there was justification in not providing the full planning contributions in this case

The Panel heard representations from a local resident who raised a concern about the impact of the development on neighbouring gardens which backed on to the site and could lead to increased flooding

Members then heard from the applicant's agent who highlighted the merits of the scheme and advised that the drainage proposals had been fully designed not to impact on any other areas

The Panel discussed the proposals and commented on drainage issues and greenspace

The Head of Planning Services recommended that the drainage condition should be worded to include the surface water run off from the land as well as from the development

The Panel welcomed the affordable housing being provided in this scheme

Having considered all of the information provided it was:

RESOLVED - To defer and delegate approval to the Chief Planning Officer subject to the conditions specified and the completion of a S106 Legal Agreement to include the following obligations:

- the whole site will be affordable housing and the refurbished block will be over 55s only and not available for sale, rent only and is to be put in the tenancy agreements
- car parking management plan
- travel plan, travel co-ordinator and monitoring fee £2,500
- taster ticket cards (£162.00 for a 3 month ticket per dwelling)
- local employment initiatives

In the circumstances where the legal agreement has not been completed by 6th April 2015, the final determination of the application shall be delegated to the Chief Planning Officer

84 Application 14/07076/FU - Temporary modular detached unit to Windmill Primary School, Windmill Road, Belle Isle, Leeds

Plans, drawings and photographs were displayed at the meeting

Members considered a report of the Chief Planning Officer relating to proposals for temporary modular building at Windmill Primary School in order to provide additional school space for the existing pupils

Concerns had been raised by a Ward Member about highways safety. Members were informed that the application was not designed to increase the

number of pupils or staff at the school and that Highways had not objected to the application

It was noted there were particular problems at drop off and pick up times at the site, with this issue to be taken up outside of the Plans Panel's remit

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

85 Application 14/00342/UHD3 - Erection of a fence/structure on land at College Hill House, Burras Lane, Otley, LS21

Plans and photographs were displayed at the meeting. It was noted that the plan appended to the submitted report was incorrect and the extent of the site was highlighted, for Members' information

The Panel considered a report of the Chief Planning Officer on an enforcement matter which had been brought to Panel at the request of a local Ward Member in view of the unusual circumstances of the position of the two residential properties concerned

The Deputy Area Planning Manager presented the report which related to a structure which had been erected within the front garden of College Hill House to support a climbing plant very close to the rear of Musgrave Hall, a listed building. As the structure did not enclose anything, it was deemed to be a building and required planning permission. However, if the structure was extended to the boundary and reduced by 20cm it would be outside of planning control. Members were informed that in the event the Panel chose to pursue enforcement action, the owner would carry out the works set out above to take it outside of planning control

The complainant had requested a Members site visit and whilst this was a matter for Panel to form a view on, the Deputy Area Planning Manager advised that having visited the site his perception of the situation remained unchanged

Members queried the appropriateness of this enforcement matter being brought to Panel

RESOLVED - To note the report and that Panel determined it was not expedient to take enforcement action in this case

86 Date and time of next meeting

Thursday 19th March 2015 at 1.30pm in the Civic Hall, Leeds