

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 6TH AUGUST, 2015**

**PRESENT:** Councillor C Gruen in the Chair

Councillors J Akhtar, A Castle, B Cleasby,  
M Coulson, R Finnigan, J Heselwood,  
E Nash, A Smart, C Towler and R Wood

### **23 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That the press and 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:

Appendix to Agenda Item 14, Application 14/07043/FU – 80 Cardigan Road, Headingley under Schedule 12 Local Government Act 1972 and the terms of Access to Information Procedure Rule 10.4 (3) and on the grounds that 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.

### **24 Late Items**

There were no late items. An additional appendix to Agenda Item 14, Application 14./07043/FU – Cardigan Road was distributed and published following the publication of the Agenda.

### **25 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

### **26 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor J Bentley.

Councillor B Cleasby was in attendance as substitute.

### **27 Minutes - 9 July 2015**

**RESOLVED** – That the minutes of the meeting held on 9 July 2015 be confirmed as a correct record.

Draft minutes to be approved at the meeting  
to be held on Thursday, 17th September, 2015

**28 Application 12/04737/FU - Appeal Decision - Land rear of Sandon Mount, Sandon Grove, Hunslet, Leeds**

The report of the Chief Planning Officer informed the Panel of an appeal decision regarding an application that was refused for the use of a vacant site for the stationing of caravans for occupation by Gypsy-Travellers with associated development including new access track, hard standing, utility building, fencing, external lighting and foul drainage on land to the rear of Sandon Mount, Hunslet.

The Panel was reminded of the reasons for refusing the application which included it not being in line with allocations in the Unitary Development Plan (UDP) and noise from and proximity to the M621 motorway. It was reported that the applicant appealed on the grounds that that the site would not be used as allocated in the UDP and that noise levels were acceptable. The Inspector considered the noise levels on the site to be unacceptable and the appeal was subsequently dismissed.

It was reported that there would be an extensive search for alternative suitable sites under the site allocation process.

**RESOLVED** – That the report be noted.

**29 Application 14/06007/FU - 49 Barkly Road, Leeds**

The report of the Chief Planning Officer presented an application for a mixed use development comprising sports hall, teaching, prayer and community facilities and associated offices and ancillary facilities and creation of basement car park at 49 Barkly Road, Leeds.

The item was withdrawn prior to the meeting and it was reported that it would be considered at the meeting of the South and West Plans Panel to be held on 17 Spetember 2015.

**30 Application 15/03304/FU - 8 Queens Promenade, Morley**

The report of the Chief Planning Officer presented an application for a single storey rear extension at 8 Queens Promenade Morley.

Site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application had been referred to Panel as it ws the property of a serving Elected Member.
- There had not been any objections to the application.

- The extension projected a further 0.4 metres than the neighbouring extension but would not cause any impact on the neighbouring property.
- The level of amenity space to be retained was felt to be appropriate.
- The property was situated just outside the conservation area and the extension would have no impact on this.
- The application was recommended for approval.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report.

### **31 Application 14/07087/FU - St Anns Mills, Commercial Road, Kirkstall**

The report of the Chief Planning Officer presented an application for the retrospective change of use of land and buildings from B2 to B8 with 48 storage containers at St Ann's Mills, Commercial Road, Kirkstall, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- Members were informed of further representations that had been received from a local Ward Member. These included a lack of public consultation, insufficient engagement with the Environment Agency, breach of local byelaws and the expiry period of the consultation period. It was reported that there had been limited response to the consultation. The expiry period of the consultation was yet to expire and should fresh objections be made then the application would be referred back to Panel. With regard to the Environment Agency, they had not objected in the first instance and they did have opportunity to make representations regarding the byelaw issue. This was not likely to prevent development.
- The recommendation in the report was to be amended to recommend that the application be deferred and delegated to the Chief Planning Officer for approval subject to expiry of the consultation period and no new significant material consideration raised either through that process or by the Environment Agency.
- The site was previously the home of a textile mill and was used by a number of small businesses. The applications site was privately owned and formerly occupied by a single storey building which was destroyed by fire. The application site now housed 48 blue shipping style containers.
- There were concerns regarding the electric gate and positioning of some of the containers which were visible from the embankment. Conditions would be made for screening of the containers. The roadside sign would also have to be replaced with something more appropriate.

A local Ward Member addressed the Panel with concerns and objections regarding the application. These included the following:

- This was an ugly retrospective application in an area which local residents had worked to improve.
- It was felt that plans had not been published in accordance with legislation.
- There were discrepancies between Ordnance Survey maps and the applicant's plans and the distance between the site and the goit side needed to be consistent.
- There had not been sufficient time for the Environment Agency to be consulted.
- In response to questions from Members the following was discussed:
  - Development of the Kirkstall Neighbourhood Plan.
  - There was no obstruction to any public rights of way.
  - The screening was inadequate. The proposals would be more acceptable if the containers were hidden from view.

The applicant addressed the Panel. The following was highlighted:

- The land had been purchased two years ago and was initially used for caravan storage. There had been a request and demand for use of container storage.
- Prior to purchase the site was in disrepair and suffered from vandalism and fly tipping.
- Since the site was used for container storage, fly tipping had stopped.
- Seventy five percent of the containers were used by small business owners.
- The containers would be screened and the backs painted green to blend in with the surroundings.

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

- Conditions to the application would include appropriate planting to screen the containers.
- Concern regarding retrospective applications.

**RESOLVED** – That the application be deferred and delegated approval to the Chief Planning Officer subject to expiry of the consultation period and there being no new significant material consideration raised either through that process or by the Environment Agency. Officers also to investigate further land ownership issue raised by Councillor Illingworth.

### **32 Application 14/07450/FU - 101 Commercial Road, Kirkstall, Leeds**

The report of the Chief Planning Officer presented an application for the change of use of halls of residence to residential development forming 36 self-contained units at 101 Commercial Road, Kirkstall, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of this application.

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

- The proposals would bring a vacant building back into use.
- The single storey extension to the rear would be demolished and this would enable room for 25 car parking spaces on site.
- The building would be re-clad.
- The original application had been for 58 apartments. This had been reduced to 36 and the apartment sizes fell within emerging size standards.
- The site was situated close to public transport links to the City.
- There would be an off site affordable housing contribution and a commuted sum for traffic regulations should they be required.

A local Ward Member addressed the Panel regarding the application. Issues raised included the following:

- The revised plans were much improved on the original proposal.
- Concern regarding double occupancy of the studio flats with regard to size and car parking.
- It would have been preferable to have seen one bedroom flats.
- It was felt that further negotiation could have brought a more suitable scheme.
- There were problems with car parking nearby and these proposals could add to that.

The applicant addressed the Panel. The following was raised:

- The applicant had worked closely with planning officers and had made a lot of changes to the original proposals to meet standards.
- The new façade to the building would make an improvement to the surrounding area.
- The proposals would meet local market needs.
- There had been no concern from highways regarding parking.

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

- The level of car parking available was within planning policy and guidance. Travel cards would also be issued and there was the fall back of traffic regulation orders if needed. The car parking spaces would not be allocated to specific properties to allow for flexibility and the assessments had indicated that there would be no overspill on parking.

- Concern that studio flats would lead to a more transient population and the need for more stability.
- The re-use of a derelict building.

**RESOLVED** – That the application be approved in principle and deferred and delegated to the Chief Planning Officer subject to conditions included in the report and a satisfactory Section 106 agreement.

### **33 Application 15/00901/FU - 57 Cardigan Lane, Burley, Leeds**

The report of the Chief Planning Officer presented an application for a new second floor and change of use of existing offices to form 14 self-contained flats with associated landscaping at 57 Cardigan Lane, Burley, Leeds.

Members attended a site visit prior to the hearing and site plans and photographs were displayed and referred to throughout the discussion of this item.

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

- There had been concern from local Ward Members regarding the loss of employment land.
- The building was currently in a poor and deteriorating condition and it was proposed to re-clad the whole building and retain the dutch gable feature at the front.
- It was proposed to have a one way system for traffic through the site.
- There would be 10 x 2 bedroom flats, 3 x 1 bedroom flat and one four bedroom flat.
- The proposed flats were generously sized and would meet space standards.
- There had been some concern regarding cars being parked at a higher level than neighbouring properties. It had been agreed to put in additional protective measures for this. Photographs demonstrating the difference in levels were shown.
- There was sufficient distance between the building and neighbouring properties and it was not felt that the building was over dominating or would cause significant overshadowing.
- It was recommended to defer and delegate the application for approval.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- This was already a densely populated area.
- Concern regarding the building overlooking neighbouring properties.
- The possibility of increased parking on local streets.

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

- There was approximately 12 metres distance between the windows and neighbouring properties. Neighbourhoods for Living guidance suggested a minimum distance of 10.5 metres.
- The property had been on the market between three and four years.
- The development would attract a sum under the Community Infrastructure levy but this would only be a minimal amount.
- It was suggested that the entrance to the building from Cardigan Road could be re-used.
- The possibility of allocating certain spaces where there could be disturbance due to the close proximity to bedrooms.

**RESOLVED** – That the Application be deferred and delegated for approval to the Chief Planning Officer subject to conditions outlined in the report, Section 106 for greenspace and additional conditions for barriers to parking spaces and opening up of doorway to Cardigan Road elevation.

### **34 Application 14/05558/FU - Guiseley AFC, Otley Road, Guiseley**

The report of the Chief Planning Officer presented an application for new spectator terracing to three sides of the ground, new turnstile and toilet facilities, new compound building and associated landscape proposals at Guiseley AFC, Nethermoor Park, Otley Road, Guiseley.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- New terracing was required to increase the ground's capacity to meet requirements following the club's promotion to the National League.
- The new terracing would not be any higher than existing terracing.
- The works needed to be completed by March 2016.
- Car parking – there were problems associated with car parking on match days and there were conditions to the application to alleviate this.
- Reference was made to the conservation area and boundary treatments would be sympathetic to this.
- It was recommended to defer the application to the Chief Planning Officer for approval.

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

- The covenant on Nethermoor Park did not affect either the lease of the football ground or prevent further development.
- Should the application not be granted, the club would be demoted from the National League.

- Traffic and parking surveys had been carried out before and after matches at the ground.

**RESOLVED** - That the application be approved in principle and deferred and delegated to the Chief Planning Officer subject to conditions included in the report and a satisfactory Section 106 agreement.

**35 Application 14/07043/FU - 80 Cardigan Road, Headingley**

The report of the Chief Planning Officer presented an application for the change of use and alterations to a former day care facility and offices to form 66 flats and associated external works, including demolition of ramp and rear extension, at 80 Cardigan Road, Headingley, Leeds.

Site Plans and photographs were displayed and referred to throughout the discussion on this application.

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

- The site fell within the Headingley Conservation area.
- An application had been considered at the previous Panel meeting where concern had been expressed regarding the size of the proposed flats, access arrangements and the viability of the scheme
- The number of flats had been reduced from 26 to 16 and this had enabled flats that met size criteria both to national and Leeds standards.
- It was felt appropriate to retain the proposal for a one way access system with access from Cardigan Road and exit on to Chapel Road. This would involve the lowering of the rear wall to improve visibility. Any other proposals would reduce garden areas within the site, cause the loss of trees and impact on the character of the property.
- A revised viability report on the scheme had been produced and Members discussed this in private session.

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

- Members supported the reduction to the number of flats which now met standards in relation to size.
- It was felt on balance that proposed access arrangements to the site would be appropriate.
- With regard to service vehicles it was reported that these would use Chapel Lane. There was not sufficient space within the site for these vehicles to turn round.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report and with an additional condition which required the cleaning of the two pairs of stone gateposts.

**36 Application 15/00577/LA - Rothwell Training Centre**

The report of the Chief Planning Officer presented a retrospective application for variation of condition 2 (plans schedule) of approval 12/05355/FU for an increase in the height of the roof ridge and parapet wall, addition of an overhang to the north elevation monopitch, louvre to east wall, door and window amendments, change from through coloured render to painted and a fixed maintenance access ladder.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application was originally approved in 2013. It had been brought to Panel following concerns from local residents that it had not been completed in accordance with the original plans and subsequent investigation carried out by compliance officers.
- Main differences to the original application included an increase of 0.8 metres in the height of the roof ridge, 0.7 metres increase in the height of the parapet wall and the installation of a fixed maintenance ladder.
- The increase in the height of the roof was not considered to be harmful and only caused minimal overshadowing.
- The walkway across the parapet was only accessed internally and only used occasionally for maintenance purposes.
- There was no accommodation on the first floor height of the building and the windows were only to allow light in.
- It was recommended that the retrospective application be approved.

In response to Members comments and questions, it was felt that the building was a valuable resource for the city although concern was expressed that the original plans had not been adhered to.

**RESOLVED** – That the application be approved as per the officer recommendation.

### **37 Date and Time of Next Meeting**

Thursday, 27 September 2015 at 1.30 p.m.