

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 22ND OCTOBER, 2015**

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

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

### **48 Late Items**

The Chair admitted the following late item to the agenda:

- Application 15/02901/OT – Outline application for residential development of up to 27 dwellings at Horsforth Campus, Calverley Lane, Horsforth

The report was late to allow for a revised traffic impact assessment.

### **49 Declarations of Disclosable Pecuniary Interests**

Councillor J Heselwood declared a disclosable pecuniary interest with regards to Application 15/02901/OT – Outline application for residential development of up to 27 dwellings at Horsforth Campus, Calverley Lane, Horsforth due to her employment at Leeds City College.

### **50 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor R Wood. Councillor B Anderson was in attendance as substitute.

### **51 Minutes - 17 September 2015**

**RESOLVED** – That the minutes of the meeting held on 17 September 2015 be confirmed as a correct record.

### **52 Application 15/03928/OT - 36 Town Street, Carlton**

The report of the Chief Planning Officer presented an application for a link detached house with two garages, to consider matters of access and layout only.

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 application had been referred to Plans Panel as it was made on behalf of an Elected Member.
- Old outbuildings currently on the site would be demolished.
- Access arrangements were shown.
- The proposals would mean the re-location of the bus stop outside the property.
- Letters of representation had been received regarding the relocation of the bus stop and boundary planting.
- The application was recommended for approval.

During further discussion on the application it was felt that the proposals would offer an improvement to the current street scene.

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

**53 Application 15/03297/FU - Costcutter Supermarket, Lowry Road, West Ardsley**

The report of the Chief Planning Officer presented an application for the change of use from a supermarket (A1) to church and community centre (D1) at Lowry Road, West Ardsley.

Members attended a site visit prior to the meeting and 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:

- Access arrangements including pedestrian access.
- Hours of operation applied for were from 10.00 a.m. to 10.00 p.m. every day of the week.
- The church had a congregation of 25 to 30 and it was also planned to use the premises for community use.
- Representations received had shown concerns regarding traffic, noise, parking and ant-social behaviour at the site.
- It was not anticipated that the intensity of the use of the site would increase.
- It was felt that there was sufficient car parking at the site.
- The application was recommended for approval.

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

- Car parking spaces – the nursery owned the car park and the rights for use could be withdrawn. This would lead to parking on Heatherdale Road which could be dangerous.

- The loss of a retail facility was damaging to the area and people without access to cars.
- Losing the option for a retail facility would also see the loss of employment opportunities.
- The church attracted a congregation from outside the area and this would lead to an increase in traffic.
- In response to questions from Members the following was discussed:
  - The shop opening hours were 8.00 a.m. to 9.00 p.m.
  - The parent company of the nursery held the rights for car parking and the applicant had no formal rights.
  - It would be preferred to have another retail unit at the site.

The applicant addressed the Panel. Issues highlighted included the following:

- The church wanted to serve the needs of the community and would welcome opportunity to discuss this with local residents.
- There had been discussions with the nursery regarding the proposals and it was hoped the church and nursery would be able to work together.
- The opening hours would not be fully utilised as applied for but gave an option for flexibility.
- The church wanted to engage young people and address concerns relating to anti-social behaviour.
- The church had 25 regularly attending members and 16 of these came from 4 families. It was not felt that this would cause any problems with traffic or parking.
- In response to questions from Members, the following was discussed:
  - The church wanted to engage with the community and use the premises for things such as youth groups, coffee mornings and mums and tots groups.
  - The applicant had not yet consulted the local community.

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

- Potential use of the service area for car parking.
- Clarification of parking rights – the nursery currently had 5 spaces exclusively for their use.
- It was not felt that a retail use would be viable due to the location of the building and the lack of passing trade.

#### **RESOLVED**

#### **54 Application 14/01904/FU - Moorside Building Supplies, 37-39 King Street, Drighlington**

The report of the Chief Planning Officer presented an application for the demolition of Moorside Building Supplies and the erection of residential development for 42 dwellings on land at 37-39 King Street, Drighlington.

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

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

- The site was in a predominantly residential area.
- The site was mainly greenfield with a PAS site to the rear.
- The original application was for 47 dwellings, this had since been reduced to 42.
- The design of the site would allow access to the PAS site.
- The proposals would include open space and landscaping.
- Dwellings at the entrance to the site would be made from natural stone.
- It was recommended to defer and delegate the application for approval.

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

- Members would like to have seen a clearer layout of the site. This had been requested from the applicant.
- The site had never been part of the PAS site.
- In response to concerns regarding the use of greenfield land, it was reported that this would be necessary to meet the 5 year housing plan.
- Concerns over sustainability, particularly transport, health and school provision – it was reported that there were good public transport links to Leeds and Wakefield and that there would be a contribution to education through the Community Infrastructure Levy. It was recognised that there was very limited school availability in the area.
- Future of the 37 King Street building – the applicant had been asked to consider retaining this.
- Drainage – concern as to whether the proposals and costs would provide adequate drainage.
- The need for more affordable housing and whether the site could be 100% affordable housing.
- A request for further information regarding school provision and the calculations for demand for school places.

**RESOLVED** – That the application be deferred for further clarification on the following:

- Request for 100% affordable housing.
- Inclusion of schools formula illustrating how many school places would be required by the development.
- Further details of drainage solutions.
- Sustainability credentials of the site.
- Improved quality plans for presentation.

**55 Application 14/07087/FU - St Ann's 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.

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 application had previously been considered by Panel where it had been deferred subject to the expiry of the consultation period and no new significant material consideration raised either through that process or by the Environment Agency. There was also an issue relating to land ownership.
- There had not been any objection from the Environment Agency and further representations had not raised any fresh concerns.
- The containers at the site would be moved further into the site and there would no longer be any containers overhanging the Goit.
- There would be a condition relating to the landscaping at the site.

Further to discussion with Members it was agreed to include an additional condition to paint the containers adjacent to the Goit.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report with the following additional condition:

- To ensure containers adjacent to the Goit are painted 'Leaf Green'.

## **56 Applications 15/02489/FU & 15/02490/LI - Elinor Lupton Centre, Headingley Lane, Leeds**

The report of the Chief Planning Officer presented an application for the change of use of education facility (D1 use) to A4 public house, external alterations and creation of outdoor areas to the front of the building and car parking to the rear and accompanying Listed Building Application at the former Elinor Lupton Centre, Richmond Road, Headingley.

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 building was Grade II listed and fell within the Headingley Conservation Area.
- The area was predominantly residential.
- Access arrangements for deliveries to the site were explained. These included arrangements should the New Generation Transport Scheme (NGT) be implemented.

- Hours of operation and deliveries.
- Highways issues both with and without the NGT.
- The building was in need of restoration.
- Members were asked to carefully consider the balance between the need to restore and re-use a listed building and the potential impact on local amenity and breach of policy. It had been recommended to defer the application to the Chief Planning Officer for approval.

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

- The proposals were contrary to both national and local planning policy.
- The area was a quiet residential neighbourhood away from the town centre.
- The proposals would generate an increase in HGV and LGV traffic.
- The clientele would involve a high number of students on the Otley run and create disturbance to residents.
- The building was in a Cumulative Impact Area.
- Further to questions from Members the following was discussed:
  - An additional public house would increase the numbers of people accessing the area and increase anti social behaviour.
  - Leeds Music Hub had expressed an interest in the use of the building and this would be a preferable option.

The applicant's representative addressed the Panel. The following issues were highlighted:

- There had been extensive negotiations with Planning Officers and public consultation in the development of the proposals.
- The building had been empty since 2008 and was beginning to deteriorate.
- The building required £3 million of investment and the applicant was willing to do this.
- The proposals would create employment for up to 50 people.
- The plans were sympathetic and would restore the heritage of the building.
- Further to concerns regarding the potential impact on residential amenity the original proposals had been amended following public consultation. There would also be responsible management practices and the company received very few complaints regarding their other premises.
- Further to questions from Members, the following was discussed:
  - Security arrangements would include door staff and CCTV.
  - The applicant would contribute to improvements to the local highways infrastructure.
  - Early opening hours had been requested due to the breakfast trade not for the sale of alcohol.
  - The applicant was looking to create a family atmosphere for food and drink.

- This would be a long term proposition which was reflected by the applicants willing to invest in the property.

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

- The proposals would have a negative impact on a residential area.
- The proposals were the only realistic option to restore a decaying building.
- Concern that the proposals overlooked residential properties and were nearby to a residential home.
- This was a quiet area and local residents should be considered.
- Concern regarding the ongoing deterioration of the building.
- Concerns with parking and other highways issues.

Members voted against the officer recommendation to defer and delegate the application to the Chief Planning Officer for approval and discussed reasons for refusal.

## **RESOLVED**

- (1) That the listed building consent for application 15/02490/LI be granted subject to the conditions outlined in the report.
- (2) That application 15/02389/FU be refused – draft reason below subject to consideration by Legal Services:

The proposed development would by reason of its out of centre location, sited midway between Headingley Town Centre and Hyde Park Corner on a popular and well known route used by students and others for drinking and entertainment result in a serious loss of residential amenity to nearby residents. The harm would arise from the comings and goings associated with a large capacity public house venue, including late night noise and disturbance caused by people on foot and in their cars and taxis arriving and departing in a predominantly residential area. This harm to residential amenity outweighs the considerable weight afforded to the re-use and restoration of the listed building and the economic benefits of the proposed use. As such the proposal is contrary to Saved Unitary Development Plan (Review 2006) policy GP5 and guidance in the National Planning Policy Framework paragraph 17 detailing Core Principles which includes always seeking a good standard of amenity for all existing and future occupants of land and buildings.

### **57 Application 15/01313/FU - Unit 4, Westfield Mills, Kirk Lane, Yeadon**

The report of the Chief Planning Officer presented an application for the demolition of an existing retail unit (use class A1) and construction of foodstore (use class A1) with parking, landscaping and associated works at Westfield Mills, Kirk Lane, Yeadon.

Members attended a site visit prior to the meeting and 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 was within the town centre and conservation area.
- Existing buildings would be demolished.
- There would be removal of 13 trees to improve access arrangements. There would be a further 25 trees planted and a landscaped buffer zone.
- With regard to the demolition of the remaining part of the Westfield Mills building it was reported that the historic and visual importance had been diminished with previous development and demolition would only cause low level harm.
- Materials from the mill building would be used for a boundary wall.
- The application was recommended for approval.

The Panel heard from a local resident and a representative of the Airebrough Civic Society. Issues raised included the following:

- Concerns regarding highways and opening hours.
- 10.00 p.m. was too late. The current operators of the site finished at 8.00 p.m. and the Morrisons store in the town centre closed at 9.00 p.m.
- Customers would drive to the store and there would be an increased risk of accidents and to pedestrians.
- Concern regarding the loss of a possible building.
- A request that more of the stone from the mill building be used as part of any new building – it was reported that there would not be enough to do this.
- The impact of another large food store on other traders within the town centre.

The applicant's representative addressed the Panel. The following issues were highlighted:

- It would not be feasible to use the current building.
- Amenity and highway measures had been thoroughly discussed and there would be a contribution for highway improvements.
- The application had received considerable public support.
- The provision of a new store would give increased food and shopping choice and would provide up to 50 new local jobs.
- In response to questions from Members the following was discussed:
  - All the applicant's stores elsewhere opened till 10.00 p.m. and some were closer to residential properties.



- The applicant wanted to remain open till 10.00 p.m. as staff would still be present. This was to provide a later service for customers.

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

- The nearby Morrisons store did not have a condition restricting hours of operation.
- The proposals were felt to be appropriate for a town centre location and there was a 50 metre distance between the delivery bay and residential properties.
- The applicant had provided traffic surveys of similar stores and it was felt that this one would have sufficient capacity.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report and that condition 16 be amended to read 6 hours opening between 1000 hours and 1800 hours on a Sunday.

#### **58 Application 15/04285/FU - Billing Dam, Billing View, Rawdon**

The report of the Chief Planning Officer presented an application for the erection of a dwelling with angling facility, car parking and retaining wall at Billing Dam Fishery, Billing Dam, Billing View, Rawdon.

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 application had been referred to the Panel at the request of a Local Ward Councillor.
- The proposals would involve a dwelling with attached angling and visitor centre. This would help to manage and safeguard the site.
- The applicant had not demonstrated special circumstances to allow development on greenbelt land.
- It was recommended that the application be refused.

The applicant and his representative addressed the Panel. The following issues were highlighted:

- The proposals would provide a first class educational facility not just for angling but for conservation as well.
- Freshwater lakes were a target for theft of fish. It cost £50,000 to stock the lake with fish and insurance was not available. The proposals would give a 24 hour presence and a level of security.

- It was requested that the application be deferred so that further discussion could be held regarding design.
- In response to questions from Members, the following was discussed:
  - The lake was not currently used for angling.
  - The applicant would be the head coach at the proposed centre.
  - It was felt that parking was sufficient and there would not be a problem with access to and from the site.
  - The site had previously been used by other angling clubs and had been a working fishery for over 50 years.

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

- Members broadly supported the proposals and the business opportunity created.
- Members were advised that a key element was whether the development on greenbelt land was appropriate. Design issues could be discussed in further detail.

**RESOLVED** – That the application be deferred to allow the applicant to submit further information to substantiate special circumstances.

## **59 Application 15/02901/OT - Horsforth Campus, Calverley Lane, Horsforth**

The report of the Chief Planning Officer presented an outline application for a residential development of up to 72 dwellings at Horsforth Campus, Calverley Lane, Horsforth.

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

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

- A position statement was given at the last meeting. There had been a revision to the indicative layout and an increase in the number of dwellings from 66 to 72.
- The site was within the greenbelt and was already developed.
- School provision in the area.
- There would be up to 25 affordable housing units on the site.
- Traffic assessment – it was not considered that the proposals would significantly add to congestion at peak times.
- There would be a condition for maintenance of the adjoining sports pitches and grassed areas.
- The application was recommended for approval subject to conditions and a Section 106 agreement.

A local Ward Councillor addressed the Panel with objections to the application. These included the following:

- The site had a long history of educational provision and could continue to be used for this purpose.
- The current buildings could be used to provide secondary or 6<sup>th</sup> form education of which there was a shortage in the area.
- The proposals were in dispute with the Site Allocation process.
- There was opposition to the development of housing on the site.
- It was requested that the application be deferred to allow Asset Management to find a different solution.

The applicant addressed the Panel. Issues highlighted included the following:

- As part of the Leeds City College estate rationalisation it had been decided to dispense with this site.
- The Horsforth college site was due to close in July 2016.
- There had been some opposition to the proposals during public consultation but the proposals had been relatively well received.
- There had been extensive dialogue with Children's Services and it had been concluded that there was not a demand for the use of the site from their perspective.

The Panel heard representations from Children's Services. Issues highlighted included the following:

- According to data numbers for primary provision were currently at a high rate and it was suggested that this could decrease. It was factored in that there would be uplift in development and it was considered that there needed to be another half form entry for primary provision in the Horsforth area.
- With regards to secondary provision, it was reported that Horsforth School was oversubscribed though there were places available in other schools in the area. Expansion possibilities had been discussed with Horsforth School.

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

- Concern that the site was isolated and not suitable for housing.
- Further to concern that the site should be kept for education provision, it was reported that granting outline planning permission for this application did not necessarily mean that the site could still not be used for education.

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

(Councillor J Heselwood withdrew from the meeting during the discussion and voting on this item)

**60 Application 15/04256/FU - Acanthus Golf Centre, Thorpe Lane, Tingley**

The report of the Chief Planning Officer presented a position statement for the development of a garden centre with outdoor sales area, service area, car parking and landscaping at land at Acanthus Golf Centre, Thorpe Lane, Tingley.

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

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

- Plans of the proposed garden centre building and materials to be used were shown.
- The site was a brownfield site within the greenbelt.
- The proposals had the support of local Ward Councillors.
- There would be an equal split between outdoor and indoor sales.
- There would be a subsequent application for wind turbines at the site.

Further to questions detailed in the report, Members were in support of the proposals and indicated that when a full application was received that it should be deferred and delegated to the Chief Planning Officer for approval. There was some concern regarding the sale of non-gardening related products such as furniture and clothing and the impact this may have on other shopping centres.

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

**61 Date and Time of Next Meeting**

Thursday, 19 November 2015 at 1.30 p.m.