NORTH AND EAST PLANS PANEL

THURSDAY, 3RD DECEMBER, 2015

PRESENT: Councillor N Walshaw in the Chair

Councillors R Grahame, M Harland, C Macniven, J Procter, G Wilkinson, B Cleasby, B Selby, S McKenna, P Wadsworth and J McKenna

102 Chair's opening remarks

The Chair welcomed everyone to the meeting.

The Chair informed the North and East Plans Panel that the meeting would be the last that Angela Bloor the Clerk to the Panel would attend as she was retiring.

He said that Angela not only was a lovely person but an extremely efficient clerk ensuring that everything went smoothly and on time, she would be greatly missed by all who sat on the Panel.

The Area Planning Manager also said a few words saying that he agreed with the sentiments of the Chair reiterating how much Angela would be missed especially by her colleagues in Planning. She would be remembered for her friendly nature and efficient organisation of the Plans Panel.

He presented Angela with a gift to show the North and East Plans Panel's gratitude for the service that Angela had performed as clerk to the Panel.

103 Late Items

There were no late items

104 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable interest

105 Apologies for Absence

Apologies for absence had been received from Councillor A McKenna, with Councillor J McKenna attending as a substitute

106 Minutes

RESOLVED – That the minutes of the North and East Plans Panel meetings held on 29th October 2015 and 12th November 2015 be approved

107 Matters arising from the minutes

With reference to minute 87 of North and East Plans Panel meeting held on 29th October 2015, relating to application 14/03958/OT – land off York Road Killingbeck, a query was raised on how the deferral and delegation of the approval to the Chief Planning Officer was progressing. Members were informed that discussions were continuing on the S106 agreement

A query was raised that application 14/00575/FU – 56 The Drive LS15 had not been listed on the agenda, with the Chair inviting Officers to provide a verbal update on this long-standing matter

Members were informed that as resolved at the North and East Plans Panel meeting on 12th November 2015, the Chair and Officers had met with the applicant and his legal representative, with it being confirmed that the applicant wanted to complete the works with the intention of moving into the dwelling and that he thought he had undertaken all of the necessary works in respect of the external shell of the building

In terms of tidying the site, the applicant had advised that it would be necessary to clear out the building so the site could be cleared in one go. It was reported that whilst the building had been cleared, the waste remained on site, with the applicant attributing the delay to the bad weather

The applicant's reluctance to incur expenditure on the internal fit-out of the dwelling whilst the threat of demolition remained was reported

It was agreed from the meeting that the applicant's formal position would be set out in a letter to the Council but the receipt of this was awaited

Also in line with Members' resolution, the Chair and Officers had met with the Cross Gates Watch local resident's group. Members were advised that the group's view was that their objective in lodging a complaint with the applicant's approved building inspector, relating to the structural soundness of the building, had been achieved. Members were informed that the Building Control Company had requested additional information and had added further matters to the schedule and as a result, the Cross Gates Watch local resident's group had confirmed they had withdrawn from the complaints process

The Chair stated that this matter now appeared to be progressing, but that the applicant's approved building inspector's response to the works was awaited

At this point, Councillor R Grahame brought to the Panel's attention that this wife was involved in this matter through being a Ward Member

A request for information about costs incurred in dealing with this case was made, with the Chair advising that information could be circulated to Members in due course

RESOLVED - To note the information provided

108 Applications 15/02634/FU and 15/02635/FU - Variation of condition 1 (delivery hours) of previous approval relating to delivery hours and

erection of permanent storage facility within car park - Marks and Spencer Store - Horsefair Wetherby LS22

With reference to minute 84 of the North and East Plans Panel meeting held on 29th October 2015, relating to the applications at Marks and Spencer Wetherby, Councillor Procter advised that having spoken to the Director of Property at Marks and Spencer, assurances had been given that some of the outstanding matters would be pursued and that a further meeting was to take place. In view of this, Councillor Procter requested that consideration of the applications be deferred

RESOLVED - That consideration of the applications be deferred and that the Chief Planning Officer be asked to submit a further report in due course

109 Application 15/04860/FU - Single storey rear extension and dormer window to rear - 16 Valley Terrace Shadwell LS17

The Panel's Lead Officer advised that the applicants had withdrawn this application. However, the application for Permitted Development at the rear of the dwelling which had been submitted under the Prior Approval process, remained. Objections to the proposals had been received and that it would be for Officers to reach a view regarding the impact of this on neighbouring residential amenity

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

Further to minute 102 of the North and East Plans Panel meeting held on 27th November 2014 where panel heard the Application 14/03167/FU permission for change of use of vacant ground floor shop (use class A) to take away hot food shop (use class A5), Main Street, Collingham.

Members were informed that the applicant had appealed the decision of the Panel.

Members were informed that the applicant had been willing to compromise on hours of opening, closing at 21:30 Monday to Wednesday and close at 22:30Thursday to Sunday.

The Inspector had identified that the main issue was whether the proposed change of use of the premises to a hot food take away would safeguard the living conditions of neighbouring occupiers, having regard to noise and disturbance.

The Inspector noted the location of the premises in relation to the A58 (Main Street) which runs through the centre of Collingham and that the premises were in an elevated position in comparison to the road.

The inspector had also noted that there was a small forecourt in front of the premises for customer parking.

Members were informed that the view of the inspector was that the appeal be allowed, Members to be kept informed of the implications of the decision.

RESOLVED – That Members noted the report

111 Application 15/00889/FU - Single storey side and rear extension - 8 Kings Mount LS17 - Appeal summary

Further to minute 21 of the North and East Plans Panel meeting held on 25th June 2015, where Panel resolved to refuse planning permission for single storey side and rear extension, which had been brought to Panel as the neighbour who had objected to the proposals was the former Chair of North and East Plans Panel, Members considered a report of the Chief Planning Officer setting out the Inspector's decision to the appeal lodged against this refusal

It was the decision of the Inspector to allow the appeal

RESOLVED - To note the report

112 Application 15/03785/FU - Residential development comprising 5 dwellings at former Depot Green Lane Garforth LS25

Officers presented an application which sought permission for 5 dwellings comprising 3 four bedroom dwellings and 2 two bedroom dwellings formed in detached and semi-detached arrangements. The dwellings are positioned to front onto Green Lane and front and rear gardens with driveways and open parking bays to the front and side.

Members were informed that gardens depths were limited with plot 5 being the shortest although this plot had garden space to the side of the property.

A previous application on this site for 9 flats was refused. The site was formerly a Milk depot which has now been cleared and the site is currently boarded off.

The application was brought to the plans panel by Cllr. Mark Dobson who attended the meeting and addressed the panel.

Cllr. Dobson explained to the panel that he had brought the application to North and East Plans Panel in respect of 6.2 of the submitted report which cited the grounds of the 6 letters of objection.

- Parking problems in the vicinity of the train station; narrow carriageway and danger near curve in road and school run times; recent house/office developments resulted in on street parking/blocking pavements/obstructing bus routes; insufficient parking for flats; existing traffic exceeds speed limit.

- Already huge flood problems around the area and onto Ninelands Lane and the development adds water and waste – improvement of drainage system take precedence over new buildings; drainage infrastructure has insufficient capacity to deal with incidents of extreme rainfall with underlying soils not being effective for soakaways.

Cllr. Dobson informed the Panel that the proposed development was only 100 metres from Garforth station, in a built up area close to other residential areas. Although the site is not classed as a flood zone it is between two flood zones which had been the site of previous floods. He explained that the 1960's drainage was inadequate and that the sewerage situation needed addressing.

He told the panel that local schools in the area were already at capacity and given the type of dwellings proposed it would be families who would live in them and require school places.

Answering Cllr. Cleasby's enquiry about the use of permeable surfaces, Cllr. Dobson said that there had been no suggestion of permeable surfaces as he had been told that there was no impact on flooding or parking.

Cllr. Grahame highlighted 10.9 of the submitted report saying that the fencing adjoining the railway and the properties needed to be of sufficient height.

Mrs Fletcher, Support Senior Planner spoke on behalf of the applicant informing the Members that the development would improve the area that it was a brownfield site. The developers had worked with Leeds City Council and Yorkshire Water on the new scheme addressing issues of flooding and providing solutions and the use of permeable surfaces.

In response to questions on safety she informed the Panel that fencing and hedging would be provided to the North of the site and that she would provide the Panel with information of this.

The Area Planning Manager set the context of how Planning deals with issues of flooding informing that planning put measures in place to ensure that the problem is not made worse.

An officer from Flood Risk Management was in attendance for this item and was able to clarify points;

- Flood risk zones
- The impact of the new development
- Ongoing work with Yorkshire Water to address surface water

Members discussed the size of the dwellings, the fact that they fall short of the National Space Standards and the shortage of amenity space particularly at plot 5.

Members were reminded that the National Space Standards was not a policy which had been adopted by Leeds City Council.

The Highways Officer in responding to comments on highway issues informed Members that the parking was compliant to that for modest dwellings taking into account traffic for visitors.

He informed the panel that there was an issue with parking on Woodlands Drive in relation to the railway station.

He said that there was no recorded injury or accidents in the area.

RESOLVED - That Members agreed to defer and delegate approval of the planning application to officers subject to the reduction of the scheme to 4 units. If no agreement is reached then the application is to be reported back to Panel for determination.

Conditions to require the use of permeable surfacing for driveways and provide a suitable fence to the boundary with the railway line to prevent children from accessing the line.

113 Application 15/04630/FU - Part demolition and new build extension to form a 1020 student place school - Former East Leeds Leisure Centre Neville Road LS15

Plans, photographs and graphics were displayed at the meeting

Officers presented a report which sought approval for part demolition and extension to the former East Leeds Leisure Centre to form a 1020 student place through school

Details relating to access; layout; design; changes in land levels across the site and how these would be dealt with were outlined to Members. The extent of the protected trees on the site was highlighted and whilst many of these would be retained, there would be some tree loss, which the Council's Tree Officer had considered and had not objected to

The parking arrangements were presented, with 96 staff and visitor parking spaces on site, together with drop-off areas for both primary and secondary pupils. In the case of the primary drop-off point, this was located within the multi-use games area (MUGA)

Members were informed there were currently 60 pupils being taught on the site, with these numbers rising to 1020 by 2021; that whilst the development would impact on the highway network, this had to be balanced against the need for this brownfield site to be redeveloped and the high demand for school places in this area

The Panel discussed the application, with the main issues being raised relating to:

- the two MUGAs being provided; their size and the range of sports they would cater for. It was stated that the size complied with the requirements of Sport England, with football; basketball and touch rugby all being capable of being played, together with use as a general play area

- vehicular access to the school and residents' parking with the need to avoid issues which had occurred at Roundhay School. The Panel's Highways representative advised that in terms of traffic management, this was controlled by condition and would include a review of the situation, post occupation
- the closure of the leisure centre and the loss of a much needed asset in the local community. Members were informed that the school would provide the opportunity for use by the community outside of school hours, particularly the sporting facilities it offered, with this being supported by local Ward Members. A detailed discussion took place relating to the proposed community use in respect of hours of use; the range of groups and activities which would be accommodated and the parking arrangements for this out of hours use. The need for conditions relating to community use was stressed
- the level of staff parking being provided with concerns this was insufficient. The Panel's Highways representative was of the view that staff parking had been well catered for in the scheme and that the site was located in a well-connected area which benefitted from several routes towards the site
- the level of play space being provided for the planned school numbers. The Presenting Officer explained that in addition to the formal play areas there would be informal play spaces provided and that in terms of the size of the school and its facilities, it complied with the guidance contained within Design Bulletin 103, produced by the Education Funding Authority

The Panel considered how to proceed. Whilst some concerns about room sizes and play areas remained, it was noted that Ward Members -, one of whom had been a long serving Member of the Panel - were supporting the scheme

RESOLVED - That the application be granted subject to the conditions set out in the submitted report; an additional condition relating to the community use of the building, to include information about the range of uses and numbers and for this condition to be discharged in consultation with Ward Members. In terms of traffic management, a condition to be added for a traffic survey to be undertaken and details to be submitted for consideration, together with a scheme of remedial measures to be implemented if required and for a further report to be brought to Panel on the traffic implications arising from the development, within six months from the occupation of the extended school.

114 to landscaping, external works and extension to car parking - Gledhow Primary School Lidgett Lane Gledhow LS8

The planning application was submitted by Children's Services for a two storey and single building extensions, alterations, landscaping, external works and extension to car parking.

The proposed development would create an additional 210 places moving the school from a two form to a three form entry.

The Officer presenting informed the Panel that an application for a Village Green had been dealt with and was explained at 10.6 and 10.7 of the submitted report. In relation to this space the Officer clarified that the land belonged to the school and was paid for and maintained by the school.

Members were shown photographs of the surrounding area and plans for the proposed development.

In response to questions on highway issues the Planning officer informed Members that the 20mph zone surrounding the school was to be extended and this had been welcomed by local residents.

He said that Cllr. Urry was involved in ongoing discussions with local residents in Gledhow Wood Grove to address concerns raised in relation to traffic issues.

The panel was informed the Brackenwood Drive would remain a drop off and turning area.

In response to a question in relation to the shops located at the junction with Lidgett Lane and Chandos Gardens. The Members were informed that extra 'baffles' would be used during the day to mitigate parking issues.

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

115 Application 15/05497/FU - Demolition of existing building and construction of 14 apartments with associated access and parking - 16 Harehills Lane LS7

Plans, drawings, photographs and graphics were displayed at the meeting

Officers presented a report on an application for the demolition of an existing building and the construction of a small residential development, comprising 14 apartments together with access and parking at 16 Harehills Lane LS7

Whilst the recommendation before Panel was to refuse the application, Members were advised that following the discovery that the ownership certificate had been incorrectly completed and served with the application, it had been necessary to serve the owner with the correct notice, which had now been done. Therefore the recommendation should be amended to defer and delegate refusal of the application to the Chief Planning Officer for the reasons set out in the submitted report

Details of the application relating to the planning history of the site; the proposed access arrangements; amenity areas; scale of the proposals; landscaping details, including root protection zones of those trees which would be most affected by the development were outlined to Panel. A series of images showing the deterioration of the existing building over a period of years were also shown. Although it was accepted that the site required

redevelopment, it was the view of Officers that the submitted scheme was overdevelopment of the site and could not be supported

The Panel heard representations from the applicant and his agent, with the main issues being raised relating to:

- that an earlier scheme had been refused planning permission and that this scheme had been significantly revised to overcome the concerns raised in respect of the previous scheme
- tree protection issues and that the development could be built to ensure the survival of all of the trees on the site
- that no objections had been received to the proposals
- the state of the existing building and the need for the site to be redeveloped
- the property market which remained challenging and that any further reduction in the number of apartments proposed would delay the regeneration of the site and might not be financially viable

The Panel discussed the application, with the key issues raised relating to:

- an indication of a form of development on the site which could be supported. The Head of Planning Services suggested that positioning the building deeper into the site and reconsidering the orientation of the apartments and providing amenity space to the front and rear might be a starting point for a revised scheme
- the need for the site to be redeveloped, with possibly 12 units being considered more appropriate
- that if the current level of units was to be maintained in the event of a further submission, financial viability information would be expected if full planning contributions were not being offered

The Panel considered how to proceed with Members indicating an unwillingness to defer and delegate refusal of the scheme before them

An alternative proposal to defer determination for further discussions was proposed and seconded

RESOLVED – That determination of the application be deferred to enable discussions to take place about a reduced form of development. In the event such a scheme did come forward, subject to the Ward Members being satisfied on the proposals, that the application could be delegated to the Chief Planning Officer for determination

116 Application 15/02681/FU - Demolition of existing surgery and construction of detached block of five flats and associated works at150 Nursery Lane LS17

The application for the demolition of existing surgery and construction of detached block of five flats and associated works at 150 Nursery Lane, Leeds, LS17 7AQ was brought to North and East Plans Panel at the request of Cllr. Harrand and Cllr. Cohen due to the levels of local concern at the proposals three storey nature that the new building will be out of keeping with the remainder of the streetscene, highway safety and potential loss of privacy for residents particularly to the rear of the property.

Members had attended a site visit earlier in the day and were shown plans and photographs during the presentation.

The officer presented the application informing Members that the development proposals consist of a single block that would contain five flats over three floors. The second floor accommodation would be in the roof space to keeping the roof ridge height in line with next door.

The site boundaries are surrounded by a number of mature trees. Members were informed that the provision of car parking would not alter therefore there would be no detrimental impact on the trees.

The original submission was for 8 units this has now been lowered to 5 units increasing the amenity space.

Representation had been received with concerns raised in relation to:

- Loss of privacy due to increase in height of building
- Loss of sunlight on neighbouring properties
- Property opposite Allerton High School, Nursery Lane busy at beginning and end of school day
- Impact on trees
- Car parking provision inadequate

Members were informed that bulk and mass were not sufficient reasons for refusal.

During the site visit Members had viewed the site from a neighbouring residence at the rear of the application site. The occupiers of this property had objected to the application and had raised concerns that the second floor would overlook their conservatory and rear bedroom. Members had noted that they were unable to gain significant views of the existing doctors surgery from the neighbour's garden.

Plans and graphs were shown at the meeting of the vegetation currently in situ and the fact that the development would be 48 metres from properties to the rear of the site therefore objections were not sustainable.

RESOLVED – That permission be granted in accordance with the recommendations as detailed in the submitted report.

117 Application 15/04713/FU - Change of use of house to form five flats including three and two storey extensions to front, side and rear with first floor balconies, accommodation within the roof-space with dormers to the rear - 135 Alwoodley Lane LS17

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 for the change of use of a house to form five flats, together with extensions; provision of first floor balconies and living accommodation in the roof space

Details of the proposed extensions were provided and in terms of the amount of extensions proposed, Members were informed these would be considered acceptable if they were part of a domestic dwelling

In respect of amenity space, generous provision was being made. Whilst some concerns had been raised about overlooking, the separation distances above that specified in 'Neighbourhoods for Living' would be achieved

A representation received from Sandmoor Golf Club was referred to with Officers being of the view that the concerns raised by the Golf Club, particularly in relation to air flow were not sustainable

The Panel heard representations from a local resident who attended the meeting and highlighted concerns about the proposals, which included:

- potential overlooking and concerns that a balcony element could be added at a later stage
- highways issues, including road safety concerns due to the level of speeding vehicles in the immediate area of the site
- car parking arrangements
- concerns about large areas of glazing particularly in view of the close proximity of the Golf Club. The Panel discussed the application and commented on the following matters:
    - the level of parking provision. The Panel's Highways representative advised that 12 spaces were being provided for 5 flats which equated to provision of 240% and was well in excess of the Council's guidelines
    - levels of speeding in the area
    - tree loss. The Presenting Officer advised that protection to the frontage was being sought to minimise the number of trees lost. Concerns were raised about this with it being requested that the landscaping treatments be drawn up in consultation with Ward Members
    - design details of the extensions, particularly the flat roof to the rear and whether this could be changed to a hipped roof. Members were informed that the rationale for the rear flat roofed extension was that it was not in the public domain and would be screened by the existing trees
    - a condition preventing a balcony being added to the development was requested, however it was proposed to address this by removing rights to insert additional windows, without prior approval

RESOLVED - That the application be granted subject to the conditions set out in the submitted report; an additional condition stating that no further fenestration be inserted without the prior approval of the local planning authority and for Ward Members to be consulted on the landscaping details of the proposals with the objective of maintaining a vegetated frontage to Alwoodley Lane

118 Application 15/03206/FU - Residential development of 111 dwellings at Sandbeck Lane Wetherby

Officers presented an application from developers Barrett and David Wilson which sought planning permission for the development of 111 houses on a greenfield site close to Wetherby.

The presentation included plans and photographs of the site.

The site lies to the north-east of Wetherby between the A1(M) and the Sandbeck Lane Industrial Estate. The site had been allocated as Employment land within the UDP it splits into two sections one to the north and one to the south with the site bisected by the access road which spurs off from an existing roundabout.

Members were informed that a bridle path located on the site would be re-routed around the site.

The development would consist of two storey and three storey dwellings with some of the two storey dwellings having dormers. The properties would front onto the motorway therefore the gardens would shield the properties from traffic noise. There is acoustic fencing in place however this would need to be increased.

Members were shown drawings and photographs of other developments in Leeds by Barrett and David Wilson. The proposed development would use materials in a mixture of brick and stone.

Officers were of the view that the layout was acceptable with open space to the northern area of the development but were of the view that the south of the development could also use open space to balance the site.

The developers propose to build 39 affordable houses however the size of these dwellings falls short of national standards also the gardens are not always private.

Members discussed the proposals, with the main issues being raised relating to:

- the parking up of HGVs on A168 and the associated nuisance and environmental issues arising from this and the need for a scheme to be delivered to address these problems in the interest of existing and future residents
- housing mix and that locally there was a need for small dwellings with smaller gardens to enable older, local residents to downsize but remain in the area
- the proposed layout with concerns that a number of dwellings fronting on to the roundabout
- the affordable housing; its siting; concerns that those dwellings which did not meet the Government's space standards were the affordable housing provision; the importance of community

cohesion; that providing cramped dwellings did not help with this and the likelihood of Registered Social Landlords (RSL) wishing to manage such small units on a long-term basis. The Head of Planning Services referred to a meeting between the Chair of North and East Plans Panel and the developer on space standards in general, in view of comments made at a recent City Plans Panel, which had resulted in a useful exchange of views. The developer's view was that the house types on this site and the one at Station Road, Methley, were those taken up by Housing Associations and that to reach the new space standards would take time and that there was a lead-in time for the introduction of these. Members were also informed that whilst the smaller affordable housing types fell short on space, there were issues about how much a RSL would pay; land values and viability and that similar discussions would be needed with the other volume house builders. As a way forward if acceptable to Panel, as part of the defer and delegate process, Officers could work with the applicant on the issue of house types. Concerns continued to be raised about the size of the affordable housing properties, together with the lack of private garden space which some of these properties also experienced

- the importance of adopting the space standards at the earliest opportunity
- boundary treatments; the need to avoid long timber fences adjacent to highways and for hedges to be considered rather than fences
- that the current proposed layout was an improvement on the original proposal but that questions remained about the moving of the open space to the centre of the development, especially in view of the informal play space being sited there which could prove unpopular with residents. That the proposed siting of the open space related well to neighbouring open land.
- that officers should be commended for their work as the revised scheme was a significant improvement over the original submission
- that further work was required on the bus shelter and real-time display on Deighton Lane to ensure its location and design was appropriate
- that the installation of any photovoltaics on dwellings should be controlled by condition

Members considered how to proceed

RESOLVED – To defer and delegate approval to the Chief Planning Officer as set out in the recommendation in the submitted report, subject to the prior completion of a Section 106 Agreement relating to affordable housing; bridleway; details to improve bus stops/displays to be agreed; provision of Metro cards; greenspace and travel plan monitoring. Additionally, revisions to the design and layout of the scheme; delivery of a scheme to prevent HGVs parking along the A168 to be discussed with the applicant and Ward Members; careful consideration of the bus stop provision

and real-time displays to ensure they were sited appropriately to serve a purpose and that the design of the affordable housing units and other house types be reviewed so that an appropriate standard of accommodation was provided together with well designed, attractive house types

119 Application 15/04521/FU - Demolition of existing working men's club; residential development of 54 units and replacement working men's club - Meanwood WMC - 35 Stonegate Road Meanwood LS6

Members were shown plans and photographs of as part of the officer's presentation.

Members were informed that membership at the Meanwood WMC had dwindled therefore needed a smaller site.

The application was for a residential development of 54 dwellings over four floors with a mix 1 bedroom and 2 bedroom properties which would be pepper potted over the four floors, with a smaller WMC with a managers flat above.

There would be car parking for 66 cars this would include parking for the WMC.

The development will have amenity space that is split into communal and private.

A ginnel nearby would be widened by 2 metres which would improve access.

One sycamore tree within the vicinity has a TPO.

Members were informed that the development would include 8 affordable units.

The units are short of the national size standards however the layout of the properties was good and did not make them look 'pokey'.

The Panel was told that Cllr. Sobel supported the scheme and had requested that the 8 affordable units be fitted with solar panels and that electric points be available for rechargeable vehicles.

The Head of Planning Services relayed to the Panel the problems with the site over the years his view was that this was an interesting scheme and design

The Chair said that he had had sight of the floor plans and said that the scheme was laid out, bigger that other developments and was well proportioned.

Members noted that pedestrian facilities were available close to the development.

RESOLVED – That Members defer and delegate approval to officers subject to the conditions set out in the report and the prior completion of a Section 106 Agreement (affordable housing, METRO cards, greenspace, real time bus stops, greenspace contributions and for changes at the car park access arrangement).

120 Application 15/01613/FU - Formation of pond (retrospective) and proposed landscaping scheme - Land adjacent to Grove Manor LS14

Plans and photographs including an historic image of the land were displayed at the meeting. A Members site visit had taken place in the morning

Officers presented the report which sought retrospective approval for the formation of a pond, together with a proposed landscaping scheme on land adjacent to Grove Manor, Wetherby Road, Scarcroft which was sited in the Green Belt and in a Special Landscape Area

Officers were of the view that the pond did not impact on openness and was considered to be an engineering operation which was acceptable in the Green Belt

Neither the Environment Agency or Flood Risk Management had objected to the application

In terms of the domestication of the land, a hedge was to be replanted

As the applicant had removed the pontoon, if minded to approve the application, condition 5 which related this, would be deleted

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

- that works had been undertaken on site without planning permission; concerns that further unauthorised works could take place and how this could be addressed
- the need for public safety measures due to the depth of the pond. Members were informed there was no public access to the pond and that it would be necessary to enter on to private land and through a set of electric gates to access it. A suggestion was made that the applicant be asked to consider erecting a safety notice
- the potential for the pond to be used as a fishing lake. The Presenting Officer advised that the pond was self-filled and that the water was not aerated so would not be suitable for fishing
- the extent of the Green Belt boundary and the domestic curtilage of the property, with concerns that the area down to the pond had been mown and so had the appearance of being part of the garden area to the property. Members were advised that the hedge which was to be replanted would provide a strong boundary feature and comprise a range of trees. Further discussion on this issue took place with a

Unilateral Undertaking being suggested as a way to deal with this matter

The Panel considered how to proceed

RESOLVED - To defer and delegate approval of the application to the Chief Planning Officer subject to the conditions set out in the submitted report, following deletion of condition No. 5 relating to the pontoon; condition No. 3 to require details of the maintenance regime of the land to be submitted and approved; an additional condition to prevent the erection of further structures on the land and the prior completion of a Unilateral Undertaking which excludes the land from the residential curtilage and its use as such

121 Closing remarks

With the permission of the Chair, the clerk, Angela Bloor addressed the Panel and thanked Members and Officers for their good wishes; the card and gift. She stated that she had thoroughly enjoyed clerking this Panel and took the opportunity to pay tribute to the Panel's Lead Officer, David Newbury, for his outstanding organisation of the reports process and clear summaries he gave after Panel had determined applications

122 Date and Time of Next Meeting

Thursday 7th January 2016 at 1.30pm in the Civic Hall, Leeds