NORTH AND EAST PLANS PANEL

THURSDAY, 2ND JUNE, 2016

PRESENT: Councillor N Walshaw in the Chair

Councillors R Grahame, J Procter,
G Wilkinson, B Cleasby, S McKenna,
P Wadsworth, S Arif, C Dobson,
S Hamilton and K Ritchie

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

3 Late Items

There were no late items.

4 Declarations of Disclosable Pecuniary Interests

Cllr. Wilkinson declared a significant other interest in Item 9 as his son and daughter-in law own part of the land.

Cllr. Hamilton declared an other interest in Item 10 and Item 11 as she knows one of the applicants and her family live in the ward.

5 Apologies for Absence

There were no apologies.

6 Minutes

The minutes of the North and East Plans Panel meeting held on 11th May 2016 were approved as a correct record.

7 Matter arising

Members were provided with a verbal update on 56 The Drive.

Members were informed that a Section 125 notice – to tidy land had been served on 26 May 2016, the applicant had until 23 June 2016 to tidy the site.

A letter from the Building Inspector had arrived on 2 June stating that remedial work had been undertaken to the inside.

Members were informed that a full certificate should be issued soon.

8 15/06760/FU - Three detached houses with detached garages to vacant land between 11 and 37 Church Drive, East Keswick, Leeds, LS17

This application sought approval for three detached dwellings within this greenfield site. The dwellings would be of a traditional design, constructed of stone and slate. The dwellings would be laid out over two floors featuring three bedrooms to the first floor and kitchen, dining, lounge and a study at ground level. The footprint of the dwelling would measure 8m by 7m. Each dwelling would be served by a drive which would lead to a single detached garage. Residential garden space would be located to the rear of the site.

The application was brought to Panel at the request of Cllr. Rachael Procter who was of the view that the proposal would harm the character of the area.

Some Members had attended the site visit earlier in the day. Plans and photographs were shown at the meeting.

Members noted the following points:

- The area around the site had a number of residential developments and is located close to the core of East Keswick.
- In 2008 an outline application to erect residential development was approved
- In 2011 an extension of time for the 2008 application was approved this had now expired.
- The redline site plan had been reduced slightly as this had been inaccurate
- Small saplings planted by Parks and Countryside would be removed and could be reused.
- The dwellings would have stone built chimneys and garages would also be of stone.
- Dwellings are built in a mixture of materials but are predominantly built of stone.
- No impact on the conservation of the area as the development fits well with the design of the village
- The flats on either side of the development have no off street parking, however. Highways were of the opinion that there was enough on street parking.
- Plans for driveway width have been revised to show 3m due to concerns raised by Highways.

The panel were informed that the application had received 21 letters of objection which included loss of trees, impact on neighbours, impact on the character of the area.

The Panel heard from two objectors who informed the Members of the following:

- Believe that the development had been designed for profit
- The village want and need more affordable homes and flats
- Parking is already a problem and this will be made worse
- Scale and design not in keeping with the area
- Development would encroach on properties already there
- The need for smaller two bed homes in the area
- Schools in the area already at capacity
- No general store nearby so a car is essential
- The need to keep the green space for children to play
- If development goes ahead would only be able to see red brick and cars
- The development is not for local people
- Want to preserve the area for future generations

In response to questions from Members the objectors told the Panel that the current the properties closest to the development see trees and green space. If the development was to go ahead all that would be seen would be bricks and cars as the boundary line would go across the ground floor window.

The objectors also responded to Members questions saying that they had only received consultation on the outline application. There had been no engagement with the developers.

The objectors said that this was the only bit of green space as there is no village green. They also said that this development was larger than expected.

The agent for the developers spoke to the Panel saying that planning permission had been granted in 2008 and renewed in 2011. There was nothing at that stage about affordable housing. He stated that this development was for 3 three bedroom houses not executive homes.

The agent informed the Members that stone had been chosen for the development as it was close the centre of East Keswick. He also informed the Panel that the development was incompliance with LCC Policy 'Neighbourhoods for living'

The agent was asked if he was aware of the emerging Neighbourhood Plan and the fact that this was not what was wanted but, that there was a need for 1 and 2 bedroom properties.

It was also noted that the previous application had been for 2 bungalows.

In response the agent said that when the Neighbourhood Plan is adopted it cannot put on the developers the type of dwellings to be built.

In response to the process of consultation he said that it was not necessary as per LCC guidelines for this size of development. Public displays need only take place for a development of 10 dwellings or more.

Members discussed the following issues:

- Overshadowing
- Parking
- Boundary treatment
- Suitability and viability of different property types on that space
- Flood alleviation
- Alignment of the development in relation to existing buildings
- Tree retention

RESOLVED – Members resolved that this be deferred for one cycle. Members were accepting that this site can be developed for residential use but were concerned about the number and size of units, drainage, parking and openness of the site.

9 15/07400/FU - Five pairs of semi-detached houses with associated parking and landscaping, land off Boggart Hill Road, Seacroft, Leeds, LS14 1LS

Cllr. Grahame left the meeting at 2:50 prior to the start of this item.

This application sought planning permission for the development of 10 houses by Connect Housing, a registered Provider of Social Housing (Housing Association). All the houses are proposed to be affordable rented properties.

Members attended a site visit earlier in the day.

The Panel was informed that the scheme proposes 100% affordable housing but the developer has advised that they would be unable to provide other planning obligations, including greenspace, on the grounds of viability. A viability appraisal had been submitted as part of the application.

The development would not accord with development plan policies aimed at providing infrastructure to support new housing development, including new or improved public open spaces. In light of these facts and issues that had been raised in relation to the viability of the scheme, the Chief Planning Officer had decided not to exercise his delegated powers in this instance, and the application is therefore brought to Plans Panel for determination.

Members noted that the proposals for these affordable houses met the National Housing Standards. They also noted that Cllrs Hyde and Selby had waived the greenspace requirement in light of all the properties being viable, but Cllr. Selby expressed concerns about the principle of waiving planning obligations for measures such as greenspace.

Members were shown plans of the proposed development, with photographs and aerial shots of green open space available within the location of the development.

The Panel also heard that Asset Management had commented on the prepared viability report and were satisfied with the conclusion that a greenspace contribution was not affordable.

Members requested that condition 9 be amended to retain parking spaces.

RESOLVED – The planning permission be granted with an amendment to condition 9 to retain parking spaces.

10 15/07291/RM - Reserved Matters Application for residential development of up to 325 dwellings, at Spofforth Hill, Wetherby

This application was a Reserved Matters submission which sought approval for the appearance, structural landscaping, layout and scale for the residential development of 325 dwellings. Outline planning permission was granted for a maximum of 325 dwellings and means of access on 2nd April 2015, following consideration at the 30th October 2014 meeting of City Plans Panel, where it was resolved to defer and delegate approval to the Chief Officer subject to an agreement under S106 of the Planning Act.

Members had attended a site visit earlier in the day.

Members were informed of the following points:

- Two means of access the main one at Spofforth Hill and the secondary access from Glebe Field Drive
- The developer Bellway would where possible employ locally
- 6 additional objections had been received in addition to the 38 objections referenced in the report
- Location of the Pelican Crossing had been agreed
- Layout and design included a number of properties with fully functional chimneys
- Photovoltaic Solar Panels to be positioned of houses which are south facing
- Water consumption had exceeded guidelines
- Electric power points had been secured
- Members attention drawn to 10.37 of the submitted report advised Members that a number of units fall short of the national space standard including affordable units which are currently 10sqm short of the standard. This had been raised with the developers.
- Photographs and plans were shown at the meeting with the officer pointing out trees that would be removed for access, pedestrian links to the development.
- Semi mature trees would be used in replanting and landscaping.

Members also noted:

- That the development would have a wide tree lined boulevard leading to the clock tower
- An area with the potential to flood had been addressed with Flood Management
- That doors and windows were all same
- That there was enough natural space and all properties look onto open space
- Units with ground floor parking were book-ended either by dwellings with ground floor habitable accommodation or by flats with ground floor habitable accommodation to secure better natural surveillance.

Members discussed the following issues:

- The establishment of a local consultative forum with Bellway Prior to and during the construction of the site
- Concerns regarding the location of the pelican crossing to close to access point for turning
- Future maintenance of the proposed block paving used within the development.
- Construction access
- The selection of Photovoltaic Solar panels
- Maintenance of hedgerows and trees
- Public transport links
- Walkways and linkage to woodland through S106
- Concerns for schools capacity in the area
- Drainage and flooding issues
- The location of the hedgerow buffers not in Leeds boundary

Members requested that no more than 3 or 4 trees to be removed.

Members were informed that Bellway would include in the purchasing pack the size of the properties so buyers were aware of the squares meters of space per dwelling.

RESOLVED – To defer and delegate approval to the Chief Planning Officer, subject to the completion of a unilateral undertaking under Section 106 to secure landscape buffer, and conditions to cover those matters outlined in the submitted report.

Members also requested that a local consultative forum be established prior to and during the construction of the development and are to be involved in the discharge of outstanding conditions on the reserved and outline permissions and where agreement is not reached refer back to Panel.

11 16/01020/FU - Application for a single storey side / rear extension and porch to front of 87 Birkdale Drive, Alwoodley, Leeds, LS17 7RU

Cllr. Grahame returned to the meeting at 16:10 at the start of this application.

This application was brought to plans panel at the request of Cllr. Harrand who stated that all three Ward Councillors of Alwoodley were opposed to the development on the basis that the scheme represents an overdevelopment of the site, that it doubles the depth of the property and the proposal would have an unacceptable impact on adjacent neighbours

Members were informed that this scheme followed a recently approved application for a rear and side extension including a porch (15/05294/FU). Under this application amendments were sought to the approval with the addition of a single storey extension that extends the entire rear elevation of the building. The extension would project out 3m from the rear elevation of the dwelling.

Members noted;

- that the street contains a similar extension nearby
- that the design was in keeping with the property and the neighbourhood
- that the extension would be obscured from the neighbouring property by a wall covered in ivy.

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

12 16/01391/FU - Change of use from single dwelling house (C3) to a house in multiple occupation (C4) at 3 Grange View, Chapeltown, Leeds, LS7 4EP

This application sought planning permission for the conversion of 3 Grange View from a four bedroom family home to use as a six bedroom HMO within Class C4. It was brought to panel at the request of all three Ward Members who were of the view that there is already a high concentration of flats and Houses in Multiple Occupation in the Chapel Allerton Ward and that there was a need for larger family homes.

Members noted the following points:

- Close to bus stops, shops, and health centre
- The property had 2 off street parking bays
- Three shared bathrooms
- Application met the tests of Core Strategy H6
- Size of living space me housing standards

Members discussed the following points:

- Parking
- The concentration of HMO’s in Chapel Allerton
- Policy H6
- Layout of floor plans
- The approach to HMO’s taken in Headingley ward

RESOLVED – That this item be deferred for 1 cycle and clarification sought on Core Strategy Policy H6.

13 16//01753/FU - Change of use of dwelling house (C3) to house in multiple occupancy (C4) at 6 Grange Terrace, Chapeltown, Leeds LS7 4EF

This application sought planning permission for the conversion of 6 Grange Terrace from C3 a four bedroom family home to use as a six bedroom HMO in C4 class.

Members discussed the similarities to item 10.

RESOLVED - That this item be deferred for 1 cycle and clarification sought on Core Strategy Policy H6.

14 16/00652/FU - Retrospective application for change of use to 6 bed HMO at 18 Borrough Avenue, Gledhow, Leeds, LS8 1LR

This application sought retrospective planning permission for the conversion of 18 Borrough Avenue, formerly a C3 use class within the C4 use class as a six bedroom House in Multiple Occupation.

The application was brought to panel at the request of former Councillor Bill Urry who cited his reasons as increased levels of noise and disturbance from the C4 use and additional parking pressures and safeguarding issues for the child minding operation to the adjoining property due to the uncertainty of whom would reside at 18 Borrough Avenue.

Members noted the following points;

- that this was a retrospective application
- the property was in a residential area
- the property had three parking spaces to the front
- the telegraph pole would need relocating so as not obstructing the driveway
- Policy H6 tests had been applied and met
- The room sizes met the standards guidelines
- This was not an area of high concentration of HMO's

RESOLVED – That this item be deferred whilst clarification on Core Strategy H6 was sought.

15 16/00876/FU - Change of use from retail (A1) to hot food takeaway (A5) and installation of extraction flue to rear of 8 Woodland Hill, Whitkirk, Leeds, LS15 7DG

This application sought planning permission for a change of use of a ground floor retail unit A1 to a hot food takeaway (A5) and the installation of an extractor flue to the rear of Woodhall Hill.

The application was brought to Plans Panel at the request of Cllr. Lyons, who objected to the application primarily due to traffic generation/safety issues but also raised residential amenity concerns.

Cllr. Hayden also raised objection to the application due to the amount of traffic the takeaway would generate in a very residential area and the crescent shaped, restricted nature of the road layout. The fact that there is already a Chinese takeaway on the small parade and there is also the risk of increase nuisance and noise for the residents.

Members were informed that this unit was on a parade of 7 shops with flats above. The parade currently has a hair studio and off licence newsagents. The parade is located close to the Leodis public house.

Members noted the unit was previously used as a shop, that the Chinese takeaway had been there a number of years, and the unit next door was currently used as storage for the newsagent.

Plans and photographs were shown to the Panel on the layout and the flue design and the position of the flue which would be located to the rear of the unit. The rear of the parade is not a public thoroughfare but the fats are accessed from the rear.

Members were reminded of a similar application in Collingham was had been refused and that Council had lost and had to pay costs when the applicant appealed.

Mr McQueen a local resident addressed the Panel explaining that the layby at the front of the parade could only take four cars and that the hair studio usually used two of these spaces.

He informed the Members that the smell from the takeaway bothered the residents in the vicinity and that litter was an issue which he had raised with Environmental Services.

Mr McQueen also informed Members that he had recently heard of a re-occurring drainage problem at that unit.

Mr McQueen informed the Panel that there had been 7 objections to the application and a petition. When he had queried the petition he was informed that it had not been received.

He said that there was a problem with teenagers in the area and parking was an issue with Templestowe Gardens being used as a turning area for vehicles using the parade.

He informed Members that he had only 3 days notice of this application and in his view this was not enough notification for an application. He also informed the Panel that none of the Councillors for the area had been able to attend the meeting.

Members asked officers if a resident's only parking scheme could be used. Highways explained that it was not considered justifiable in this instance as the existing use would have its own parking demand and the parade benefited from a parking layby to the front. Regarding the road safety concerns that had been expressed, the Highway officer advised that they had checked accidents in this area and there had been none in the past 5 years.

In response to questions from Members in relation to notification of the application officers informed Members that the flats above and immediate neighbours on Templestowe Gardens would have been notified by letter.

The Officer informed the Panel that Planning had discharged their duty as they had posted a notice on the closest lamp post to the unit.

The officer was unsure why the petition had not been received.

Members discussed the follow points:

- The drainage issues at the unit
- The proposed hours of opening for the takeaway
- Littering issues
- Parking issues
- Planning notification
- The petition

RESOLVED – That the application be deferred - so the application can be re-advertised and an updated officer report prepared.

16 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be on Thursday 30th June 2016 at 1:30pm.