

NORTH AND EAST PLANS PANEL

THURSDAY, 29TH SEPTEMBER, 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

There were Member site visits on the morning of the Panel to application references 16/02196/FU, 16/05502/FU, 15/06569/FU, 16/00015/FU and 16/00064/FU and these were attended by Councillors Walshaw, Grahame, Hamilton and Wilkinson.

CHAIRS COMMENTS

The Chair welcomed all those attending the meeting of North and East Plans Panel and invited the members of the Panel to introduce themselves.

59 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection documents.

60 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information on this occasion.

61 Late Items

There were no late items.

62 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

The Legal Officer clarified Cllr. Hamilton's position with regard to Item 7 Application 16/02196/FU 82A Allerton Grange Rise that she would be allowed to speak and vote on the application. Minute 67 refers

63 Apologies for Absence

No apologies were received.

64 Minutes

RESOLVED - The minutes of the North and East Plans Panel meeting held on 1st September 2016 were approved as a correct record.

65 Matters arising

Members were updated on 56 The Drive. Members noted that a letter had been sent to the Building Inspector with regard to works referred to and that Legal Services had also written to the applicant and his representatives with regard to the completion certificate and were awaiting replies.

66 Application 15/06569/FU Change of use of dwelling, land and out buildings used for fish farm to use as a single dwelling with garden and domestic out buildings, including removal of condition 3 of approval 33/336/03/FU

Members were requested to agree to a withdrawal of the report to seek further legal advice on the application of the Green Belt planning policy in relation to the case.

RESOLVED – That the Panel agree to the withdrawal of this item for further legal advice to be sought on Green Belt planning policy in relation to this case.

67 Application 16/02196/FU Detached Bungalow with integral garage; detached garage; landscaping and associated works to garden land at 82A Allerton Grange Rise, Moor Allerton, Leeds, LS17 6LH

The Chief Planning Officer submitted a report asking Members to consider an application which sought permission to construct a detached bungalow to garden land currently associated to No. 82A Allerton Grange Rise.

The application was brought to Panel at the request of Councillor Sharon Hamilton as it was her view that the comments raised by Highways were not sufficient reason to withhold planning permission. The Councillor stated that there was no difficulty at this present time as this was a private driveway and that two cars currently enter and exit without any problems.

Members heard that Officers had concerns that the driveway had a 'pinch point' where 2 vehicles would not be able to access the drive, the corner of the drive does not allow a clear view forward. Members were also informed of a gate with pedestrian access leading on to a blind junction.

Mr Bonner the applicant's son attended the meeting he explained that his mother had been paralysed in a car accident with her mobility becoming less over the years. The bungalow in which she currently lives is not suitable for the adaptations that she requires. She had lived at the property a number of

years and wishes to stay in the area as she attends the local church and also helps with after school provision of her grandchildren.

David Cook the agent was also at the meeting and he informed the Panel that the drive was compliant with policy and had ample provision for vehicles to pass. He said that at its narrowest point it was 3.8 metres wide but was mostly 4 metres wide.

Members were informed that agreement had been made with the owners of 82 Allerton Grange Rise for work and access to the driveway.

Members heard that the larger property was required to allow an integral garage so that Mrs Bonner would not have to travel from the car to the house in an outside wheelchair to then transfer to an indoor wheelchair. Members also noted that the current property did not allow Mrs Bonner access to all areas and that the ramps were sub-standard and not within current guidelines.

In response to Members questions the Panel were informed of the following;

- that it was not the proposal to knock down the current house
- that the refuse bins were taken down the driveway for 82A and 84 Allerton Grange Rise
- That the gate onto the drive was not used it was put there only for security and that it was an elderly lady who lived at that property

Mr Crossley and Mr Smickersgill attended the meeting to speak for the recommendations. Mr Bonner informed the Panel that he was aware of the Bonner's as they were a family who attended his church and was aware that Mrs Bonner required a wheelchair.

He informed the Members of his concerns in relation to the speed of the road in the area and that this junction was of permanent concern for both pedestrians and road users. He highlighted the fact that the junction was blind from the left of the driveway. Mr Crossley spoke of his experiences of near incidents at the junction.

Cllr. Cleasby informed the Panel that he recognised Mr Crossley as someone who he had worked with in the past.

Members were informed that there was no signage on the junction and no speed control as there was no record of accidents at the junction in the last 5 years.

Members discussed the following points:

- The removal of the lamppost at access to driveway
- Removal of the hedge along the driveway
- Use of signage on the junction
- Speed limit on the approach to the footway

RESOLVED – That the Panel resolved not to accept the officer recommendation to refuse permission and resolved to defer and delegate to

the Chief Planning Officer for approval on the detailed conditions including a condition for the provision of a speed bump on the driveway.

68 Application 15/05502/FU Demolish existing dwelling and replace with 3 flats with underground parking at 33 Sandmoor Drive, Alwoodley, Leeds, LS17 7DF

The Chief Planning Officer submitted a report seeking permission to demolish the existing dwelling that occupies the site and to construct a three storey block of flats.

The application was brought to Panel at the request of Councillors Peter Harrand and Neil Buckley as they raised objections to the principle of apartments in this location, the impact on immediate character of Sandmoor Drive, the traffic levels and highway safety and wished the matters to be considered by Members.

A site visit had taken place earlier in the day, photos and plans were displayed at the meeting.

Members were informed that the proposal was for 3 unique apartments with 1 apartment per floor. The development would be within a generous area of land with a significant copse of trees to one side of the development. It was noted that 50% of the parking would be located underground. The ramp to the parking area to be well screened by screen and the 'lid' to be grassed so that it was better to look and would alleviate noise for the neighbours.

Members were informed that a previous plan had proposed more glazing to the rear of the property this had now been reduced to allow privacy for neighbours. There was considerable distance between the proposed property and neighbouring properties although there would be an increase in bulk and massing it was still in keeping with properties on that road.

The Panel heard from Ian Green and Simon Walton who lived in neighbouring properties who spoke against the recommendations for the following reasons:

- The properties in the area are unique 1920s and 1930s family homes
- Flats and apartments would spoil the character of the area
- If the application was granted it could cause a floodgate of applications for flats in the area
- The proposed development sits on a busy road and junction with traffic heading towards Harrogate Road

Members were informed that the developers had spent time with planning officers for the design of the property and the surrounding site. There was a 40mph traffic scheme on Alwoodley Lane but there was no control on parking in the area. The underground parking would have 8 spaces with 4 parking spaces above ground for visitors. The ramp to the underground parking space would be usable in winter as it would have a heated ramp and that the building would be highly energy efficient.

Councillor S McKenna left the room during this item.

In response to questions from the Panel, Members were informed;

- The trees within the grounds were of mixed varieties but were mainly deciduous.
- The proposed dwelling would be approximately 1 metre higher than neighbouring properties.
- Only limited weight could be given to the representations from the Parish Council.
- The balconies would not have a significant impact on neighbouring properties due to the distance between properties or screening facilities
- There were no flats on Sandmoor Road only knowledge of one other in area on Alwoodley Lane which had been won on appeal.

Members discussed the need for all types of housing in the city but raised concerns on the scale of the proposed development and the impact of flats in this area. Members also discussed the emerging Neighbourhood Plan.

At the conclusion of the discussion, Council J Procter moved a motion to reject the recommendations as detailed within the submitted report, so that the application be refused. The motion was seconded by Councillor Wadsworth. On being put to the vote, Councillor J Procter's motion was passed, and it was

RESOLVED – That:-

- a) The officer recommendations as detailed within the submitted report be rejected, and as such, the application be refused due to the overall scale and massing of the proposal and that the proposal was not within the character of the area.
- b) Members approved to defer and delegate to officers that appropriate wording be provided within the letter setting out the reasons for refusing the application.

69 Application 16/00015/FU Two storey and single storey rear extension and single storey side extensions with balconies above ; canopy to front; replacement chimney at Beechings, Station Lane, Thorner, Leeds

Further to minute 44 of the meeting held on the 4th August 2016. The Chief Planning Officer submitted a report seeking approval for a part two storey part single storey rear extension and a single storey side extension. A canopy was proposed to the front of the dwelling with a number of outbuildings to be demolished as part of the scheme.

The dwelling is a detached brick building located within a streetscene of detached and semi-detached dwellings. The property features a large garden

area to the side and rear enclosed by hedging with some trees. The site is located within the Green Belt.

Members heard that planning officers had met with the applicant to seek a reduction in the size of the house. However the applicant had decided to go ahead with the build size as applied for. Under permitted development the applicant would be allowed to increase the cubic volume of the property to 110%. However, the proposal is for 86% net increase in cubic volume.

Members were informed that conditions to restrict development could be placed in curtilage of the large garden.

Members noted the improved design of the proposed property which would be in keeping with the area.

Members attention was drawn to 1.6 of the submitted report with regards to the pre-application advice given.

Members were informed that the materials for the dwelling would be stonework and render with a zinc roof and aluminium windows and doors.

During consideration of this item Cllr. C. Dobson left the meeting at 15:10 and returned at 15:15

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

70 Application 16/03555/FU Rebuilding and extension of dwelling (part retrospective) Lofthouse Lodge, Harrogate Road, Harewood, Leeds

Councillor S McKenna re-joined the meeting at the start of this item.

Further to minute 54 of the meeting held on 1st September 2016 the Chief Planning Officer submitted a report in respect of this application.

The Conservation Officer was present at the meeting to answer questions and offer advice.

Members were informed that the building recently demolished was not the original gatehouse and was re-built around 1968. The property sites on the edge of the Harewood estate, the lodge is not listed however the gates and pillars are grade II listed.

Members heard that extension works had been previously approved under a recent Certificate of Lawfulness and a Prior Approval application. Structural problems with the 1960s building were discovered and the building was part demolished as the Council issued a Stop Notice with only a single storey element of the building being retained to the rear.

Members were informed of negotiations that had taken place with the applicant and along with suggestions from the Conservation Officer as a way to improve the design and in keeping with the Harewood Estate. The changes were listed at 2.1 of the submitted report and included;

- The roof of the dwelling on the northern side to be altered from a hipped roof to a gable to match the gable on the opposite side
- The removal of the glazed dormer window
- Window proportions with heads and cills in keeping with the Georgian period
- Landscaping to front and rear

The Panel were shown photographs, plans and 3D plans.

Members noted the following points:-

- Parking would be through the existing access
- Parking would be located at the bottom of the site
- There would be no increase in roof height
- The design and materials were much improved
- Harewood House cannot be viewed from the site
- Highways had not raised any objections
- The chimney was design only there would be no working fire
- In Green Belt area but there were special circumstances to replace the dwelling and needed to be mindful of Permitted Development fallback position
- A reduction of almost 50 cubic metres had been negotiated on what could be implemented under permitted development rights and the certificate of lawfulness granted.

Members were advised of the following:-

- At 8.4 of the submitted report the reference to section 16 should have been Section 66
- That both left and right curtilage of the Lodge were listed structures as part of Harewood Estate
- That the single storey extension to the rear was within permitted development of no more than 8 metres of the boundary

Members discussed the proposed design of the dwelling and materials to be used. Concerns were raised that the dwelling would impact on the Grade I listed estate with visitors to the area being able to view the property from the estate.

Mr White the Architect was at the meeting and provided answers to the Panel's questions:

- The applicants had wanted to avoid the long application process so had opted for Permitted Development
- The applicants had been willing to make improvements suggested to the design and build of the dwelling

- The applicants had spent a large amount of money getting the design to this stage
- The fall-back position remained and the Council could either rebuild the 1960s dwelling or permitted development could come back into play
- The design of the windows with blanked out sections and arches were at the suggestion of the Conservation Officer
- The design was not balanced but because of the design was now increased in volume which was mainly in the roof space.

Members noted that the Conservation Officer was experienced in design of graded buildings.

Cllr. J Procter moved a motion to defer this report for one cycle to look at the scheme and the design this was seconded by Cllr. Wilkinson. However, when put to the vote this motion was rejected by the Panel and it was;

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

71 Application 16/00064/FU Demolition of out buildings, garage and extension to existing house and construction of detached dwelling at 2 Sandhill Villas, Sandhills, Thorner, Leeds

The Chief Planning Officer submitted a report setting out an application that sought permission to demolish kennels, garaging and extensions and erect a new dwelling to the side of no. 2 Sandhill Villas.

Members heard that the application was brought to Panel as the construction of a new dwelling would constitute inappropriate development in the Green Belt and would therefore be a departure from the development plan. Members were also advised of the history associated with this site of previous applications which had been refused in 2012 and 2013 due to conflict with Green Belt policy.

Members were informed of the proposals for demolition as being that of an existing two storey extension with a flat roof to the side of the property, a double garage and kennels. The new dwelling would be built on the site of the double garage and would be larger than the garage. The proposed dwelling would have parking spaces for 2 vehicles with the existing dwelling retaining sufficient parking.

The proposed dwelling would be of two storeys but because of a difference in gradient the dwelling would look as one level from the front whilst being two storey to the rear. The new dwelling had been reduced in size and would be of a design in keeping with the existing Victorian villas which included a chimney.

The proposal for the existing dwelling was to add a dormer similar to that of the adjoining property and a balcony as per the previous planning application.

These would not be implemented until Section 106 obligations had been fulfilled.

Members were informed that the kennels and the cattery were currently run as a business for up to 20 dogs and 20 cats. Members noted that the business was to cease therefore the noise associated with kennels would no longer be an issue. Also with the cessation of the business highway safety would be better.

Following legal advice Members were requested to defer and delegate to officers that the Section 106 Agreement should also include an obligation to cease the use of the site as use as boarding kennels rather than through a planning condition.

Members were advised of an additional condition for the gradient of the driveways to be a maximum of 1 in 12.5 (8%)

Members had visited the site earlier in the day and were shown photographs and plans at the meeting.

RESOLVED – That permission be granted;

- a) Subject to the specified conditions as set out in the report with the deletion of condition 4 relating to the cessation of the current use for boarding of animals
- b) Subject to the completion of a Section 106 Agreement with the addition of a clause to require the cessation of the current use for boarding of animals
- c) Subject to an additional condition that the gradient of the driveways be a maximum of 1 in 12.5 (8%)

72 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be held on 13th October 2016 at 2pm.