

SOUTH AND WEST PLANS PANEL

THURSDAY, 24TH NOVEMBER, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley,
D Congreve, M Coulson, R Finnigan,
B Flynn, P Gruen, S McKenna and R Wood

37 Exempt Information - Possible Exclusion of the Press and Public

Members were advised that an appendix to Agenda Item 7, Application 15/07633/FU - Clarence Road, Horsforth, Leeds, LS18 4LB contained information relating to financial matters and was considered to be exempt under Access to Information Procedure Rule 10.4 (3).

38 Late Items

There were no late items as such. The following supplementary information had been published and distributed prior to the meeting:

- **Agenda Item 7 – Application 15/07633/FU – Clarence Road, Horsforth, Leeds, LS18 4LB – Additional Appendix - Not for Publication exempt under Access to Information Procedure Rule 10.4(3)**
- **Agenda Item 9 – Applications 16/03676/FU & 16/03675/FU – Land off New Village Way, Churwell, Morley, LS27 7GD – revised report**

39 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

Councillor D Congreve informed the Panel that although not pecuniary, he did have an interest in Agenda Item 9, Applications 16/03676/FU and 16/03675/FU – Land off New Village Way, Churwell, Morley and that he would be leaving the meeting during the discussion of this item. Councillor Finnigan also informed the Panel that he had an interest in this application due to his Membership of Morley Town Council.

40 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors B Anderson, E Nash, A Smart and R Wood.

Councillors B Flynn and P Gruen were in attendance as substitute Members.

41 Minutes - 20 October 2016

RESOLVED – That the minutes of the meeting held on 20 October 2016 be confirmed as a correct record.

42 Matters arising from the Minutes

With regard to Application 16/04153/FU – Spenfield, Otley Road, Headingley, Leeds it was reported that differentiations in height were less than actually reported and that there had also been a procedural error in notifying local residents. The decision notice had been put on hold and a further report would be brought to Panel to address these issues.

43 Application 15/07633/FU - Clarence Road, Horsforth, Leeds, LS18 4LB

The report of the Chief Planning Officer presented an application for the partial demolition of existing buildings, conversion of existing office buildings to create 15 residential apartments, erection of 7 new dwellings with associated landscaping and car parking at Clarence Road, Horsforth.

Members attended a site visit prior to the hearing 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 development would consist of 15 flats and 7 houses.
- The site fell within the Horsforth Conservation Area.
- The site was a brownfield site which was proposed for residential development in the emerging Site Allocation Plan.
- It was not felt that there would be any more impact on highways as compared to the previous use of the site.
- There would be some loss of trees on the site but there would be significant new planting.
- The existing office buildings could be converted to residential use under permitted development rights.
- Due to financial viability, the reduced contribution of 22% affordable housing was considered to be acceptable.

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

- Maps used in the report were not accurate.
- Distances between the proposals and existing properties were not within guidelines.
- Due to variations in heights around the site and overlooking of existing residential properties, a more intensive site visit should have been carried out.

- The proposals would have a negative impact on the amenity of existing nearby residents.
- Testing for overshadowing of existing properties should have been done.
- The proposals were not in keeping with the Conservation Area.
- When the site was in use for office accommodation, residents were not disturbed or overlooked on an evening or a weekend.
- The proposals were too high density for the size of the site.

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

- The premises had been vacated in April 2016 as they were no longer suitable for office use.
- The applicant had worked closely with the Council, Horsforth Town Council and Conservation representatives. Amendments had been made to initial designs.
- The proposals would bring much needed housing to the area whilst bringing two positive buildings in the conservation area back into use.
- There would be highways and transport improvements.
- The consultation process had included a presentation to Horsforth Town Council and leaflet drops to local residents.

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

- There had not been any further comment from Ward Members or Horsforth Town Council.
- Further to comment regarding proposals not meeting guidelines, it was reported that on occasion this is acceptable when site circumstances and constraints of a site are taken into account.
- The proposals offered by the application gave more planning control than if the existing buildings had been converted using permitted development rights.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions outlined in the report and also the completion of a Section 106 agreement to include the following obligations:

- 22% contribution to affordable housing
- Provision and maintenance of greenspace
- Contribution towards one bus stop of £10,587.50

In the circumstances where the Section 106 has not been completed within 3 months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer.

44 Applications 16/05575/FU & 16/05576/ADV - Pool Bridge Filling Station, Pool Road, Pool

The report of the Chief Planning Officer presented applications for the redevelopment of a petrol filling station comprising new sales building and canopy, new underground fuel storage tank and replacement underground petrol interceptor tank, five metre high tank vent stack, replacement refuelling forecourt, islands and dispensers, replacement resurfacing, retention of existing fuel storage tanks and two illuminated signs at Pool Bridge Filling Station, Pool Road, Pool in Wharfedale.

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:

- All existing buildings on the site would be demolished.
- A larger shop building would be built on the site.
- The new canopy for the filling station would be higher to allow HGV access.
- The filling station currently only had 5 filling spaces. This caused tailbacks on to the road network and was the main reason for the application.
- The new shop building would be made from natural stone and would have male and female toilets.
- In terms of impact on residential amenity, it was reported that the nearest residential properties were at least 30 metres away.
- It was proposed to include further conditions in relation to access, signage, landscaping and hours of illumination.

A local Ward Councillor and a local Parish Councillor spoke in objection to the application. Issues raised included the following:

- The applications should be refused on highways grounds – the current situation with access caused chaos and the new plans would not improve this.
- There would be increased usage due to the larger shop and provision of ATM machine.
- The height of the canopy and illuminated signage would not be in fitting with the conservation area.
- The proposals were likely to increase queueing traffic in an air quality zone.
- There was a record of road traffic accidents in the area.
- There had not been any consultation with Local Ward or Parish Councillors.
- Pool Village was already subject to heavy traffic flow.
- It was felt that there was no need for a refurbishment and the proposals were to suit commercial needs.

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

- The applicant would support the additional conditions suggested.
- The layout of the filling station required modernising and improving.
- The current layout which only allowed 5 vehicles to refuel at any time was causing tailbacks to the road network.
- The new layout would allow the integration of HGV vehicles to refuel alongside others.
- There would be improved shop facilities with designated parking.
- It had agreed that the canopy would not be illuminated.
- There had been discussions with highways officers regarding access/egress to the site and the new layout would provide significant improvements.
- In response to questions from Members, it was reported that there had not been any consultation with local Ward Councillors of the Parish Council.

Members expressed concern regarding the lack of consultation with Ward Councillors and the Parish Council and it was suggested that the application be deferred for this to happen.

RESOLVED – That the application be deferred to allow for consultation with Local Ward Members and Pool in Wharfedale Parish Council.

45 Applications 16/03676/FU & 16/03675/FU - Land off New Village Way, Churwell, Morley, LS27 7GD

The report of the Chief Planning Officer presented applications for engineering and ground works to facilitate residential development of 46 dwellings with associated access, car parking, landscaping and public open space at land off New Village Way, Churwell, Morley.

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

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

- The dwellings would consist of terraced, semi-detached and detached houses.
- The scheme had been revised since the pre-application had been submitted to reduce the number of dwellings from 52.
- The proposals would contribute to much needed housing in the area.
- Fourteen of the properties did not meet internal spacing standards although these standards were yet to be adopted in Leeds.
- Reference was made to noise levels from the M621 motorway were considered to be acceptable.

- With regard to impact on local schools it was reported that the proposals were likely to create a demand for 12 primary places and 5 secondary places. There were expansion plans for local primary schools and new secondary provision in the area. Community Infrastructure Levy contributions
- The site presented challenges but on balance the proposals were felt to be acceptable and the application was recommended for approval.

Local residents addressed the Panel with objections to the application. These included the following:

- The proposed houses were too small, there would be too much noise disturbance from the motorway, insufficient public transport links and highways access.
- The noise levels would impact on resident's quality of life.
- The existing road loop and single access road would not be sufficient.
- Current infrastructure was not adequate and the number of school places that would be required was questioned.
- Loss of open greenspace.
- The existing highways network could not cope with traffic and was often at a standstill. There needed to be a second access road.
- Impact of additional traffic and proximity to the motorways and the effect on health and wellbeing including danger from increased vehicle emissions.

The applicant's representative addressed the Panel, the following was highlighted:

- The original plans had been revised to reduce the number of dwellings and create more open space.
- The site was unallocated on the Unitary Development Plan and would create windfall housing towards meeting targets along with benefits of a Section 106 agreement and CIL contributions.
- There would not be a negative impact on highways.
- Noise surveys had shown that there would not be internal disturbance although some properties may have noise disturbance on external areas.

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

- Concern regarding noise levels and the impact on quality of life.
- Air quality – it was reported that the site was not in an air quality zone and was not subject to monitoring.
- It was felt that there was an adequate buffer between the proposed dwellings and the motorway. There were houses closer to the motorway at other locations.
- Concern regarding blockages on the only access road and potential hindrance to emergency services.

- Concern that the proposals would breach guidelines.
- Highways and public transport issues – it was reported that access was considered to be suitable and concerns were not of a sufficient weight to warrant refusal of the application. With regards to public transport, Cottingley Railway Station was within 400 metres of the site.
- No planning by Clinical Commissioning Groups for additional health facilities.
- Concern regarding proposals for properties with room sizes below guidelines.

A motion was made to refuse the application. This motion was voted against and a further motion was made to defer the application.

RESOLVED – That the application be deferred to allow for further negotiation in relation to house sizes/ room sizes, site layout, school provision, further information on air quality and highway implications. That ward Members be consulted on revised information submitted.

46 Application 16/03597/FU - Land Adjoining St Anns Mills, Commercial Road, Kirkstall

The report of the Chief Planning Officer presented an application for the laying out of a public footpath along the River Aire to connect up two sections of the public footpath that are currently blocked by existing fencing and other barriers.

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

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

- The application had been brought to Panel as the application had been made by a local Ward Councillor.
- Funding for the footpath had been made available by the Department for Communities and Local Government.
- The proposals would create a fully accessible right of way that would be suitable for wheelchair and pushchair users.
- The land affected was under different ownership and implementation would rely on landowners' compliance.
- Reference was made to letters of support and an objection to the application.
- There would be no impact on ecology or highway safety issues.
- The application was recommended for approval subject to conditions outlined in the report.

A local business owner who would be affected by the proposals informed the Panel of concerns regarding the application. These included the following:

- Whilst there was no objection to the implementation of new footpaths, removal of security gates and fences caused concern for all business owners at the site. There had previously been problems due to vandalism, burglaries and arson.
- The proposals had required the footpaths northern spur so that this would allow disabled access by the business site but this would still involve a steep section and steps. Contact had been made with the applicant regarding the removal of the northern spur of the path.

A local resident addressed the Panel in support of the application. Issues highlighted included the following:

- The proposals would open up a beautiful and hidden part of Kirkstall and give access to Kirkstall's industrial heritage.
- Improved access for residents of Kirkstall.
- Kirkstall was short of natural open space and this would allow access to more.
- Making the area publicly accessible would discourage anti-social behaviour,
- In response to Members questions, the following was discussed:
 - The northern spur was needed to provide full access within the monies available.
 - The footpaths would be maintained and areas such as this did not suffer from anti-social behaviour as they would if left isolated and underused.

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

- Whilst the proposals were welcomed, there was a clear issue of impact on security for local businesses.
- It was suggested that the application be deferred for further discussion with the applicant and business owners.

RESOLVED – That the application be deferred to allow for further discussion with the applicant and on site business owners.