

## **SOUTH AND WEST PLANS PANEL**

**FRIDAY, 16TH JUNE, 2017**

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

Councillors S Arif, D Congreve, M Coulson,  
S Hamilton, S Lay, T Leadley, J McKenna,  
D Ragan and R Wood

### **1 Late Items**

The Chair admitted the following late item to the Agenda:

Application 14/06007/FU – 49 Barkly Road, Leeds, LS11 7EN. A report informing of the decision of the Planning Inspectorate. The decision had not been issued until 12 June 2017 following the publication of the agenda.

### **2 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests. Councillor Wood was known to the architect for Agenda Item 9 – Application 16/05800/FU – 13 Carlton Lane, Rothwell, Leeds, LS26 0DH – and took no part in the discussion or voting on this application.

### **3 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors P Davey, C Towler, J Bentley, B Anderson and R Finnigan.

Councillors S Hamilton, J McKenna, S Lay and T Leadley were in attendance as substitutes.

### **4 Minutes - 20 April 2017**

**RESOLVED** – That the minutes of the meeting held on 20 April 2017 be confirmed as a correct record.

### **5 Application 15/00297/FU - Associated Waste Management Ltd, St Bernard's Mills, Gelderd Road, Gildersome**

The report of the Chief Planning Officer presented an application for an extension to provide enclosed loading area to front elevation of materials recovery facility (no increase in annual throughput) and regularisation of as-built variations to the original planning permission for a materials recovery

facility (10/03906/FU) at St Bernard's Mills, Gelderd Road, Gildersome, Morley.

Immediately prior to the meeting a late representation was received from an objector's solicitor. Given the content of the letter needed to be fully considered before a decision could be made Officers advised that the item be deferred.

**RESOLVED** – That the application be deferred to a future meeting of the South and West Plans Panel.

**6 Application 14/06007/FU - 49 Barkly Road, Leeds, LS11 7EN**

The report of the Chief Planning Officer referred to the decision of the Planning Inspectorate to allow permission for the erection of a mixed use development comprising sports hall, teaching and community facility with associated offices and ancillary facilities and the change of use of office building for temporary community use during building works.

The application had been discussed by the Panel at its meeting in February 2016 when it was resolved to challenge the appeal against non-determination on the following grounds:

- The impact of the proposal on residential amenity due to levels of activity and associated intensification of the use of the site and associated noise.
- Uncertainty over the exact use and occupation of the Community/Sports Hall and the potential of overspill parking onto adjacent streets.
- Whether the use can be adequately controlled in terms of restrictions on use, hours, activities and numbers of people attending via planning conditions or a legal agreement to make the proposal acceptable in terms of impact on local people and the highway network.

It was reported that the Inspector had considered the scale and range of facilities, the impact on neighbouring residents and had concluded that with restrictions through condition that the premises could be adequately operated.

Members expressed disappointment at the decision of the Inspector and did not feel that the feeling of local people and opposition to the application was fully considered. It was stressed that it was essential that conditions to the application should be carefully monitored and enforcement action to be taken if necessary.

**RESOLVED** – That the report and decision of the Planning Inspectorate be noted.

**7 Application 17/01326/FU - 9 Shayfield Drive, Carlton, WF3 3FY**

The report of the Chief Planning Officer presented an application for the change of use to allow a dwelling house to also be used as a childminding business and a new hardstanding to the front at 9 Shayfield Drive, Carlton.

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 property fell within a new development of 14 houses.
- Planning permission was dependant on the intensity of use.
- It was proposed that only 5 children would be cared for at any one time.
- There had been a number of objections in relation to access and parking. Other concerns included loss of property value, noise and disturbance from children playing and that there was a covenant that restricted business use. It was reported that the covenant would not be a planning matter and also that loss of value could not be taken into consideration.
- It was recommended that the application be approved. The main reason for planning permission being that part-time staff would be employed. The planning permission would be personal to the applicant and not the property.

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

- Frequency of people coming and going from the property at peak times of the day.
- The property was situated at the end of Shayfield Drive and was not well connected for picking up and dropping off children from the primary school.
- The property had private shared access which should not be used for business purposes.
- Concerns regarding parking and staff parking. Vehicles parked on the turning area which caused difficulties for other residents and didn't give space for larger vehicles and delivery vehicles to manoeuvre.
- The property being used as a business would restrict the market for other properties.

In response to questions from the Panel, the applicant reported that she had started the business in August 2016 and had sought formal planning permission following negative comments from neighbours. She had purchased land to the side of the property to be used as an outdoor play area which was further away from neighbour's homes.

Comment was made that many similar business operated without planning permission and it was proposed that the application be approved.

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

**8 Application 16/05800/FU - 13 Carlton Lane, Rothwell, Leeds, LS26 0DH**

The report of the Chief Planning Officer presented an application for partial demolition of redundant outbuilding and erection of three detached dwellings on land at 13 Carlton Lane, Rothwell.

Members visited the site prior to the meeting and 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 site was close to Rothwell Town Centre and fell within the conservation area.
- The single storey element of the outbuildings would be demolished.
- Part of the boundary wall would be removed to allow vehicular entrance. The boundary wall would also be lowered.
- There had been a number of objections from local residents and Ward Members. These included concerns regarding traffic and access from Lay Garth; loss of trees and shrubs; impact on the conservation area and concern regarding further development on land within the site.
- It was reported that there would be some loss of trees, but these were generally in a poor condition and replacement planting would be of an improved quality.
- The application was recommended for approval. Conditions would include hours of construction; landscape plans; re-use of boundary wall materials and a management plan for the undeveloped part of the site.

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

- Approximately 15 to 20 trees would be removed.
- There were no highways concerns regarding the impact of additional traffic.
- There were currently no known plans for use of the undeveloped part of the site.
- A suggestion was made that the access to the site be moved so it faced garages on Lay Garth rather than directly in front of a property. This would have an impact on proposed parking and garage areas and also the removal of further trees. It was suggested that the application be deferred for approval subject to further consideration of access to the site.

**RESOLVED** – That the application be approved in principle but deferred to the Chief Planning Officer for further discussion regarding access and for final decision to be made in consultation with the Chair.

**9 Application 17/01174/FU - The Omnibus, Throstle Road North, Middleton, Leeds, LS10 4AD**

The report of the Chief Planning Officer presented an application for the change of use and alterations of a former public house to form a house in multiple occupation (sui generis) at The Omnibus, Throstle Road North, Middleton, Leeds, LS10 4AD.

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

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

- The site was currently vacant and unused.
- The car parking area was not included as part of this application.
- The only exterior changes would be 2 windows and closure of a doorway.
- The proposals were for 9 bedsits within the building, communal areas, 9 car parking spaces and amenity space to the front and rear.
- A previous application for 15 units had been refused.
- The bedsits would be marketed for working professionals.
- Internal layouts were shown.
- Objections to the application had been received from Ward Members and local residents. These included traffic concerns and the intensity of use.
- It was felt that parking, level of amenity and impact on the highway were all acceptable.
- The application was recommended for approval subject to the conditions outlined in the report. The condition relating to time limits was to be amended to 3 years and an additional condition regarding details of access was to be included.

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

- The room sizes would be between 19 and 25 metres which met space standards.
- There were no concerns regarding access or additional highways concerns with regard to the location of the bus shelter.
- There were no proposals for landscaping or boundary treatments.
- Concern was expressed regarding the size of the bedsits and communal areas.

- Concern regarding the lack of consultation. It was reported that the application had been advertised in accordance with regulations and neighbouring properties had been informed.
- Concern that the site had not been fully accessible during the site visit.
- In response to concerns regarding potential use of the property and tenants, particularly in regards to the proximity of a primary school, it was reported that planning permission for any change of use would be required should it be used for purposes such as a bail hostel for example.
- Concern that it would not attract working professionals as it was not a city centre location. Reference was made to a similar conversion in Hunslet that had shown a demand for this kind of accommodation.
- There was a broad feeling from Members that there were aspects of the application that still needed to be addressed. It was suggested that the application be deferred to these matters.

**RESOLVED** – That the application be deferred to give further consideration to the following:

- How the application would meet the needs of local people.
- Further information regarding boundary treatments and landscaping
- Nature of the occupants – further information on how the properties would be marketed.
- Further site visit to look at the interior and exterior of the building.
- More details on the management of the land.
- More detail in respect of traffic and parking.

**10 Application 17/01509/FU - 92 New Road Side, Horsforth, Leeds, SL18 4QB**

The report of the Chief Planning Officer presented an application for the variation of condition 2 (opening hours) of previous approval 08/01626/FU to allow opening hours of 0700 hours to 2300 hours Monday to Sunday at 92 New Road Side, Horsforth.

Pictures of the premises and surrounding areas were displayed and referred to throughout discussion of the application.

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

- Existing hours of operation were 0800 hours to 1800 hours Monday to Friday and 0830 hours to 1730 hours on Saturdays.
- Proximity to nearest residential properties and parking arrangements were highlighted.
- The application had been referred to Panel at the request of Ward Members due to concerns of impact on local residents.
- The premises were small with a maximum of 22 covers. It was not felt that this would generate a lot of activity.
- It was confirmed that the premises had a license for the sale of alcohol.

- The application was recommended for approval.

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

**11 Application 16/05575/FU and 16/05576/ADV - Pool Bridge Filling Station, Pool Road, Pool in Wharfedale, LS21 1EQ**

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.

The application had previously been considered by Panel in November 2016 when it had been deferred for further discussion with the applicant, Ward Members and Pool Parish Council.

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

- The proposed layout was shown which had one less access to the site.
- There would be a larger shop building and a larger canopy. The applicant had agreed not to illuminate the top part of the canopy.
- The new layout would enable more vehicles to access the station and reduce numbers waiting on the highway.
- The applicant had been asked to fund a traffic survey but had declined.
- A further objection had been received from Pool Parish Council regarding increased pedestrian usage and access due to the larger shop.
- It was recommended that the application be approved.

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

- There was a dedicated delivery area and delivery vehicle manoeuvres were explained. This would still permit use of the filling station during deliveries. Possibility of introducing a physical barrier between the delivery area and fuel pumps was discussed.
- Although the shop would be significantly larger, it would not be the size of a mini supermarket. The area was not a protected shopping area and further to concern that this would affect local shops there were no planning grounds to prevent the increase in size.
- Further landscaping to screen the station from properties on Wharfe View.

- It was not felt that pedestrian access would be adversely affected by the proposals. This had been investigated as had the possibility of installing a pedestrian crossing.

**RESOLVED –**

- (1) That application 16/05574/FU be approved as per the officer recommendation and conditions outlined in the report. Also additional condition for landscaping.
- (2) That application 16/05576/ADV be approved as per the officer recommendation and conditions outlined in the report.