

SOUTH AND WEST PLANS PANEL

THURSDAY, 5TH OCTOBER, 2017

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, J Bentley,
D Congreve, M Coulson, P Davey,
R Finnigan, P Gruen, C Towler, N Walshaw
and R Wood

Prior to the meeting, Councillors C Gruen, D Congreve, N Walshaw, B Anderson, J Bentley and R Finnigan attended the site visits. Councillor R Wood visited the sites at Throstle Nest Villa and Clarence Road.

41 Late Items

There were no late items as such. Supplementary information for Agenda Item 7 – Application 16/07784/FU – Land at Former St Joseph’s Convalescent Home, Outwood Lane, Horsforth was published and distributed prior to the meeting.

42 Declarations of Disclosable Pecuniary Interests

43 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors S Arif and D Ragan. Councillors P Gruen and N Walshaw were in attendance as substitutes.

44 Minutes of the Previous Meeting

RESOLVED – That the minutes of the meeting held on 7 September 2017 be confirmed as a correct record.

45 Application No. 16/07784/FU - Development of 28 apartments and 13 Houses to land at former St Joseph's Convalescent Home, Outwood Lane, Horsforth, Leeds 18

The report of the Chief Planning Officer presented an application for the development of 28 apartments and 13 houses to land at the former St Joseph’s Convalescent Home, Outwood Lane, Horsforth, Leeds.

Members had visited the site prior to the September meeting when the application was deferred to allow for further information to be provided.

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:

Draft minutes to be approved at the meeting
to be held on Thursday, 9th November, 2017

- The 28 apartments would be affordable housing.
- The site fell within a residential area.
- There was to be further discussion regarding the provision of off-site highways works.
- Access to the site would be moved to improve visibility.
- The buildings would take on board the characteristics of the conservation area.
- The scheme involved the provision of 68% affordable housing. This meant the provision of an off-site greenspace contribution would affect the viability of the scheme.
- The proposals would see the redevelopment of a brownfield site and provision of much needed affordable housing for the area.
- There was to be an additional condition for the provision of a landscaping management plan.
- The application was recommended for approval.

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

- The proposed houses would completely overshadow and dominate the existing property at 8a Outwood Lane.
- Plots 12 and 13 could have been used for bungalows to prevent overshadowing/overlooking and this should be considered.
- Concern with regards to funding for traffic calming that was not considered to be necessary. This could be better used on improving the appearance of the development to fit in with the conservation area.
- It was agreed that the lack of an off-site greenspace contribution was outweighed by the need for affordable housing in the area, but this housing needed to be of a high quality to fit in with the conservation area.

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

- There had been a well-attended public consultation event. Main concerns raised had included parking on Outwood Lane. This was would not be a problem as there would be sufficient parking for the proposed properties and the provision of double yellow lines.
- The site was considered to be sustainable and had good public transport and pedestrian links.
- Consideration had been given to proposed houses close to 8a Outwood Lane and these had been pulled back and would have hipped roofs. There would be no issues of overlooking.
- The affordable housing units would be made available to those on the Council's housing waiting list.

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

- Issues relating to viability – It was confirmed the applicant had not yet purchased the site. The land owner had preferred the applicant's bid which included affordable housing though it was not the highest bid. A profit level of 17.4% was anticipated. Further issues were discussed regarding profitability levels and reports from the District Valuer. It was suggested that further information with regard to viability from previous applications and advice from the District Valuer be reported to a future meeting of the Joint Plants Panel. The viability concerns with regard to this application focussed more on subsidising the affordable housing units rather than profit.
- Traffic calming – plans for this had not been finalised and there would be further consultation.
- The provision of the affordable housing was broadly supported by the Panel as was the proposed design for the conservation area.

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

- 68% affordable housing
- Provision and maintenance of on-site amenity space
- Off-site highways works

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 and subject to the conditions outlined in the report and also the additional conditions:

- Landscaping management plan to be submitted and agreed
- Details of existing and proposed levels and finished floor levels to be submitted and agreed

46 Application No.17/03692/FU - Demolition of extensions, shed and garages and the erection of 8 dwellings with associated landscaping and parking at Low Wood and Four Gables, Clarence Road, Horsforth, Leeds, LS18 4LB

The report of the Chief planning Officer presented an application for the demolition of extensions, shed and garages and the erection of 8 dwellings with associated landscaping and parking at Low Wood and Four Gables, Clarence Road, Horsforth.

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:

- A previous scheme had been approved in November 2016. This scheme included the conversion of the existing office blocks.
- The previous scheme had a contribution for affordable housing.
- This application no longer had proposals to convert the office blocks but extensions would still be demolished.
- The previous scheme had proposals for an apartment block. This scheme would replace that with a house.
- There would be a traffic regulation order for Clarence Road to prevent parking near access to the site.
- It was felt that the proposals would be an improvement to the conservation area.
- The new proposals brought new buildings closer to existing buildings but these were still well within guidelines.
- Reference was made to objections to the application.
- There would be further conditions to be added regarding land contamination.
- The application was recommended for approval.

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

- Disappointment at the condition of the site since Barnardos had left the site.
- No previous evidence that the Conservation Officer was satisfied with the original application.
- That the current submission of the Conservation Officer was flawed.
- The proposed building at Low Wood was overbearing and not in fitting with the conservation area.
- Amenity of neighbours' gardens would be reduced.
- Windows of new buildings would overlook existing properties.
- Foundations to new properties could damage trees.
- This revised application was a way of avoiding an affordable housing provision.

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

- The reason for the revised scheme was to ensure maximum proceeds for the charity.
- There would be demolition of unsightly outbuildings and extensions.
- This was development on a brownfield site in a sustainable location.
- The proposals would bring vacant buildings back into use and re-use of a vacant site.
- The proposals would bring visual improvements to the conservation area.
- In response to negotiations and responses to the application, there would be provision of cycle lockers, electrical vehicle charging points and opaque windows on overfacing properties.

- Changes to the previous scheme were not to avoid affordable housing but to meet the obligations of the charity to maximise proceeds.

Panel Members expressed concern that the office buildings could be converted to apartments at a later date under permitted development rights and without a contribution to affordable housing and would not be supportive of the application.

RESOLVED – That the application be deferred to seek clarification from the applicant over their intentions for the future use of the office buildings. Application to be reported back to Panel for determination.

47 Application No.16/06514/FU - Residential development of 52 dwellings to land off Galloway Lane, Stanningley, Pudsey, Leeds 28.

The report of the Chief Planning Officer presented an application for the development of 52 dwellings to land off Galloway Lane, Stanningley Pudsey.

Members visited the site prior to the meeting held in September 2017 when the application was deferred for further discussion regarding maintenance of the strip of land to the rear of the site and provision of a suitable crossing on Galloway Lane.

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

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

- There had been one further objection since the September meeting due to the lack of bungalows on the site.
- The applicant had confirmed that fencing to the rear of the site would abut the existing boundary treatment. Residents of proposed properties would be responsible for maintaining their own sections of fencing.
- With regard to the provision of a crossing on Galloway Lane, there had not been any concern from Highways. There was an existing traffic island and the cost of installing a zebra crossing would be approximately £43,000. The applicant had offered to provide a sum of £10,000 towards a crossing. There was further funding available within the proposed Section 106 agreement that could be used towards the provision of a crossing should this be agreed with Ward Members.
- The application was recommended for approval.

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

- Concern that there was not already a crossing on Galloway Lane. The Panel was made aware of the pedestrian crossing review that was being undertaken across the city and the criteria included. One of the main issues to decide on what kind of crossing would be needed is the number of pedestrians. The impact of this development was not likely to increase the numbers of pedestrians that would justify the

installation of a crossing. A survey would be undertaken to monitor pedestrians at the site to see if it would meet requirements to be included in a future review. It had been acknowledged that there was possibility of using funding from the Section 106 agreement for the provision of a crossing and this would be supported by Highways if agreed.

- Concern regarding the speed of traffic on Galloway Lane.
- Further concerns for pedestrians crossing Galloway Lane to access Bolton Royd School and local shops.

RESOLVED – That the application be deferred and delegated for approval to the Chief Planning Officer subject to conditions set out in the report and a Section 106 Agreement to secure the following:

- Affordable Housing at 15% - 8 units provided
- Travel Plan Fund contribution of £26,522.10
- Real time unit at bus stop of £10,000
- Travel plan monitoring fee of £2,500
- Contribution of £2,500 per plot to mitigate the cumulative impact of this development and other sites on the Outer Ring Road junction with the A647 (Dawson's Corner)
- Contribution to zebra/pelican crossing of £10,000

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

Discussions to be held with Ward Members in respect of other contributions (travel plan fund and crossing contribution) to see if some of these monies should be put towards the provision of an appropriate pedestrian crossing.

48 Application No. 17/03561/FU - Retrospective planning permission for 1 detached dwelling at 183 Haigh Moor Road, Tingley, WF3 1EN.

The report of the Chief Planning Officer presented a retrospective application for a detached dwelling at 183 Haigh Moor Road, Tingley.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the item.

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

- Relationship of the dwelling to neighbouring properties.
- Permission was granted in 2015 for a 3 bed dwelling. This was built on a larger scale and closer to the boundary than was approved. A further application was submitted in January 2016 for what had been built. This was refused and a subsequent appeal was dismissed and enforcement notice to demolish the building was served.

- This application sought to demolish the part of the building and rebuild with a reduced height and reduced footprint with the front façade set further back. Other changes included opaque windows to the front and planting along the front boundary to provide screening.
- There would be conditions to inform when building works commenced so that these could be monitored to ensure they were in accordance with the plans.
- The proposed changes would reduce the overbearing nature of the building on neighbouring properties but still did not meet guidelines with regards to distance.
- An objection had been received as it was felt that the proposals were still not acceptable.
- The application was recommended for approval.

In responses to comments and questions, the following was discussed:

- Previous planning history at the site and concerns regarding errors or non-compliance with other applications.
- Concern that the new proposals would still be significantly overbearing on existing properties and would still have an impact on their amenity.
- Monitoring/enforcement of the construction.
- With regard to the inspectors comments following the appeal, that these modifications did not address the inspectors concerns or meet neighbourhoods for living guidelines.

The applicant's representative was asked to address the Panel with clarification regarding the issues discussed. The following was highlighted:

- There were inaccuracies with the ordnance survey plans that led to the house being built in the wrong place.
- The application was essentially for a new building. Only the back walls and part of the gables would be retained.
- The house was of high quality build and materials.
- The applicant was happy for monitoring at each stage of the building of the property to ensure compliance.
- The neighbourhoods for living guidance was only guidance and was not always met with other applications.

RESOLVED – That the application be refused due to harm to amenity of neighbours caused by overlooking and that it is an overbearing form of development. Detailed wording of reasons for refusal delegated to officers.

49 Application No. 16/05076/FU - Part retrospective planning permission for the installation of biomass hoppers to rear of garage with associated flues; solar panels to roof of garage and extension of garage to enclose fuel storage hoppers at Throstle Nest Villa, New Road Side, Horsforth, Leeds, LS18 4LS.

The report of the Chief Planning Officer presented an application for a part retrospective application for the installation of biomass hoppers to the rear of garage with associated flues; solar panels to roof of garage and extension of garage to enclose fuel storage hoppers at Throstle Nest Villa.

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

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

- Throstle Nest Villa was sub-divided into bedsits and flats.
- The application had been referred to the Panel following concerns of local Ward Councillors and residents.
- Concerns regarding smoke emissions were reported to the Council in 2016 shortly after the installation of the biomass boilers. This was due to the boilers not being set up correctly and this was subsequently adjusted. Environmental Health had been involved and it was concluded that the boilers could be operated without causing pollution.
- The boilers were a source of low carbon energy and were licensed by DEFRA. The installation had been inspected by Building Control and were compliant with building regulations.
- An air quality assessment had been carried out and there had not been any breach of objectives.
- The extension of the garage was requested to enclose the storage of the fuel for the boilers.
- Reference was made to objections to the application.
- The application was recommended for approval.

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

- There were concerns for resident's health following frequent smoke and odour nuisance. There had been an increase in headaches and asthma and it was believed the emissions from the flues were the cause.
- Air quality monitoring carried out by residents had shown an increase in particulate matter.
- DEFRA had not inspected the site.
- If the emissions could be directed via chimneys on the main building, this would alleviate the problem.
- In response to questions, the following was discussed:
 - The odour and smoke was not a daily occurrence but did frequently happen on mornings and an evening.
 - The applicant's agent had stated that it was not practical to use the existing chimneys on the building and Building Control has also felt that this was not a feasible solution.

An Environmental Health Officer addressed the panel. With regard to air quality objectives and standards and the modelling system used to measure

dispersal of particulate matters it was felt that in this case there was a negligible impact in air quality.

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

- There had been considerable depth and assessment given to the application before recommendation for approval and there had been a comprehensive and robust assessment of the plans.
- The installation of the boilers was to improve the facilities of the tenants and the environment.
- The scheme met requirements of the conservation area and building requirements.
- The scheme was fully compliant with development plans and the NPPF.

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

- Installation of taller flues could provide an unacceptable visual intrusion.
- The existing chimney stacks were already in use for fireplaces in the main building.
- The possibility of installing an alternative external flue.
- The air quality measuring was based on DEFRA standards and was based on a modelling system and not site based monitoring.
- It was suggested that the application be deferred to investigate alternative solutions and further consultation with Ward Members and local residents.

RESOLVED – That the application be deferred for negotiations on an alternative flue arrangement to take any smoke and fumes away from neighbouring residents. Ward Members to be consulted on any revisions. The application to be reported back to Panel for determination.

50 Date and Time of Next Meeting

Thursday, 9 November 2017 at 1.30 p.m.