

## **NORTH AND EAST PLANS PANEL**

**THURSDAY, 22ND MARCH, 2018**

**PRESENT:** Councillor N Walshaw in the Chair

Councillors B Cleasby, M Coulson,  
R Grahame, S Hamilton, M Harland,  
E Nash, K Ritchie, P Wadsworth and  
G Wilkinson

### **SITE VISITS**

The site visits were attended by Councillors Walshaw, Hamilton, Harland, Nash, Ritchie and Wilkinson.

#### **109 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

#### **110 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

#### **111 Late Items**

There were no late items.

#### **112 Declarations of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests were made.

In relation to item 10 17/02450/FU – Peckfield Quarry, Ridge Road, Micklefield, Leeds, LS25 4DW, Cllr. Harland brought it to the attention of the Panel that she was the Chair of the Peckfield Liaison Committee.

#### **113 Apologies for Absence**

Apologies for absence were received from Cllr. Stuart McKenna. Cllr. Coulson attended the meeting as his substitute.

#### **114 Minutes of meeting - 22nd February 2018**

**RESOLVED** – That the minutes of the meeting held on 22<sup>nd</sup> February 2018 be approved as a correct record.

**115 17/04368/FU - RETROSPECTIVE APPLICATION FOR DWELLING WITH DETACHED OUTBUILDING TO REAR WIGTON COURT, WIGTON LANE, ALWOODLEY, LEEDS**

The submitted report of the Chief Planning Officer set out a retrospective application for a dwelling with new detached outbuilding to rear; Wigton Court, Alwoodley, Leeds.

Prior to the start of the presentation the Panel were informed of an additional condition relating to the submission of details of retaining structures to the garden space and in particular to the retaining structure at the end of the garden.

Members had visited the site earlier in the day, plans and photographs were shown throughout the presentation.

Members were provided with a brief history which explained that the proposal seeks in part, to vary an earlier approval (13/01614/FU) for the redevelopment of the site through the refurbishment of Wigton Court, the original building on this site, which constitutes several apartments, and the construction of a separate dwelling to the rear of that building on land that was originally the garage court for the apartments. It was noted that car parking for Wigton Court had been provided elsewhere on site.

Members were advised that the site had changed ownership and that the new owner wished to change the dwelling that had been approved. The owner wanted to provide an outbuilding at the bottom of the garden to the proposed dwelling to provide a gym, patio, covered pool and garden store. The proposed area for the outbuilding was the north east corner of the site and had an 'L' shaped footprint, which projected approximately half way across the rear boundary which is a common boundary to properties in the Wikes Ridges development. Originally this had been proposed to be the full length across the boundary. However officers were of the view that this would be too much and the plans had been revised.

The Local Ward Members, Councillors Harrand, Buckley and Cohen had requested that the application be brought to Plans Panel.

The Plans Panel heard that the new house which also forms part of the proposal had already been commenced which was why the description referred to a 'retrospective' application. The proposal also seeks to add an additional storey to the dwelling to that already approved. Other alterations that have taken place included the provision of a terraced landscaped garden.

The Panel were advised that the new (outbuilding) building was of a modern design, in keeping with the house. The boundary was stepped in and vegetation was to be retained or enhanced as necessary.

Mr James of 71 Wike Ridge Avenue and Mr Hamer of 73 Wike Ridge Avenue attended the meeting informing the Panel of their objections as follows:-

- Height of the proposed outbuilding would be in excess of 5 metres;
- The existing trees, along their common boundary with the application site, were Leylandii which can grow to a considerable height if not maintained properly;
- The slope from the proposed dwelling and the neighbouring properties could not be appreciated without a site visit;
- Loss of light
- Overbearing structure;
- The ground in Wike Ridge development was clay concerns about flooding;
- Concerns in relation to window levels and privacy to neighbouring properties.

Mr James and Mr Hamer responded to Members questions as follows:-

- No issue with the dwelling and the extension to it but were of the view that the new industrial style building would be overbearing from the Wike Ridge Avenue side.
- Drainage was an issue because of the clay soil.
- Plants would not be able to grow due to loss of light
- Leylandii trees were too tall and were overwhelming
- It would not be so dominant if the land was not as high

Mr James and Mr Hamer said that it would be a welcome compromise if the build could be achieved on a lower construction. However the Leylandii were still of a concern if they were allowed to grow too high.

Mr Tom Cook the agent informed the Members that the applicant and the officers had made changes to the design of the outbuilding after negotiations. He said that the site had sat in this state for about four years.

Mr Cook informed the Members that the applicant was looking to make this property into a family home and hoped to stay in the area.

Mr Cook said that the outbuilding could be constructed without harm to Wigton Court. He said that the construction was 4 metres high at the boundary and 2 metres from the boundary and was not thought to be detrimental to neighbours amenity.

Mr Cook in responding to Members questions informed the Panel of the following points:-

- Leylandii trees on the boundary were lower than some trees in the area;
- A walk way would be left so that the Leylandii trees could be maintained;
- The applicant was open to fencing or planting to provide privacy to neighbours;

- There had been issues with drainage but the previous applicant had installed a drainage channel to stop water running on to neighbouring properties;
- The canterleaver walkway was stepped in from the common boundary by 2 metres;
- The plant for the pool would be located within the building;
- The pool was for the private use of the owner.

Members discussed the position of the outbuilding suggesting that it be lowered. The Architect approached the Panel and explained that this would need to be investigated as it would require dropping the floor slab and could affect the water table. It was also noted that a pool required sufficient depth to it.

Following on from Member discussions to lower the building the Chair suggested that Members may wish to make a recommendation to defer and delegate after further negotiations had taken place between interested parties to reach a compromise.

At the conclusion of the discussions the Chair suggested to reject the recommendations set out in the submitted report to defer and delegate the approval to officers. This motion was moved by Cllr. Harland and seconded by Cllr. Hamilton. On being put to the vote, the motion was passed, and it was

**RESOLVED** - To defer and delegate approval subject to:

- Further negotiation to reduce height of the outbuilding by (in region of) 1.5m with the objective of reducing impact of building on neighbours to rear.
- Upon receipt of revised plans re-consult neighbours.
- Consult with ward Members.
- If agreement is reached with ward Members on the revised scheme then the application can be approved under delegated authority. If no such agreement can be reached the application will be reported back to Panel for determination.
- Add conditions in respect of detail of retaining structures and boundary treatments and the soundproofing of the plant room and outbuilding.

**116 17/08462/FU - REPLACEMENT DWELLING 266 ALWOODLEY LANE, ALWOODLEY, LEEDS, LS17 7DH**

The report of the Chief Planning Officer set out the proposal for a replacement dwelling at 266 Alwoodley Lane, Alwoodley, Leeds, LS17 7DH.

Members had visited the site earlier in the day, photographs and plans were shown throughout the presentation.

The proposal was set out at paragraph 2.0 of the submitted report and included details of the dwelling layout, provision for off street parking and approximate measurements of height, width and length of proposed dwelling.

Members noted the following points:-

- That the land levels dropped towards the golf course to the rear of the site;
- The proposals were broadly similar to a previous approval for extensions to the existing dwelling on site but with the demolition of the existing dwelling and rebuilding the new dwelling which would be positioned slightly further away from the neighbours;
- There was an increase in height compared to the current dwelling;
- There was no adverse impact on the street scene;
- There was no adverse impact on the neighbouring properties.

At this point Cllr. Wadsworth drew attention to an email that he had just received from Cllr. Dan Cohen who had hoped to attend for this item. Unfortunately his wife had been taken ill and he had taken her to hospital. Cllr. Cohen also said that an objector who had wished to speak at Panel was also unable to attend due to a prior hospital appointment. Cllr. Cohen requested that the item be deferred one cycle.

The Panel were advised that in circumstances such as this it was unfortunate when, due to personal circumstances, applicants and objectors were unable to attend the meeting. However there was a matter of business to attend to and this was not a planning reason for consideration. It was noted that a precedent had been set.

The item continued.

The applicant Julian Milner was present at the meeting to answer questions.

In response to Members questions the Panel heard:-

- That Mr Milner worked in the city and planned for this to be a family home for himself his wife and his two children
- The family currently have two cars, the garage proposed two spaces and there would be sufficient room for three parking spaces which could be independently accessed and was within the guidance.

Members were informed the listed building across the road would not be affected and that there would be adequate vegetation screening.

The applicant had offered to provide a covenant so that the property could not be made into flats at a future date. The Panel were advised that this could not be conditioned.

It was noted that an application had already been submitted and approved for same footprint and height.

**RESOLVED** – To grant permission subject to the specified conditions set out in the submitted report.

**117 18/00613/FU - PART THREE STOREY, PART SINGLE STOREY SIDE EXTENSION; SINGLE STOREY REAR EXTENSION 5 NORTH PARK AVENUE, LIDGETT PARK, LEEDS, LS8 1DN**

Members considered the report of the Chief Planning Officer on an application for part three storey, part single storey side extension; single storey rear extension at 5 North Park Avenue, Lidgett Park, Leeds LS8 1DN.

Members were advised of the following:-

- Photographs circulated via email by the agent acting on behalf of the objector at number 5a should have been received by all Members of the Plans Panel. This was confirmed to be correct.
- Typo in paragraph 2.2 the No. 5 at the end should read No. 5a
- The agent had highlighted that two distances in paragraph 10.10 and 10.11 were wrong;
  - The distance quoted in paragraph 10.10 of 7.0 metres is considered accurate within 0.5 of a metre – the agent claimed it was 8.5 metres;
  - The distance quoted in paragraph 10.11 of 10 metres had been checked and was considered to be closer to the agent's figure of 13.5.
  - Whilst the result of this was that the proposal had been assessed to be acceptable on the basis of the distances quoted in the report and so any actual increase in these distances was an improvement.

Members were advised that this was the second application that the applicant had submitted for this scheme. It was noted that the first application was made in 2017 (17/07631/FU) and is the subject of an appeal against non-determination. Members requested copies of the appeal and the planning response in future cases.

It was noted that the three storey side extension would be of similar proportion, scale and design to the three storey element of the adjoining semi-detached dwelling. The rear extension would also be of similar scale to the rear extension that exists on the neighbouring dwelling and this element of the scheme would not project beyond the rear extension of the adjoining property. A single storey side garage was proposed to the side of the house. This would feature a pitched roof and would abut the hedges that are present along the common boundary with no 5a North Park Avenue.

The Plans Panel were informed that the application site falls within the boundaries of the Roundhay Conservation Area.

This is a semi-detached stone built property. Members noted that the adjoining semi had a three storey gable and a single storey side garage. It

was also noted that there were large trees located to the front garden and that the front garden was enclosed by hedges.

Members heard that objections had come from No 5a. It was noted that windows overlooking No 5a were to be obscure glazed. It was also noted that one of the objections was loss of light through the kitchen window at No 5a. Members were advised that as this was a kitchen and not a main living area and therefore was not sufficient to justify a refusal.

Ms Prior an objector attended the meeting with Dr Chris Hobbs who was available to answer questions.

Ms Prior informed the Panel of the following points of concern:-

- Duplicate application which Fabian Hamilton MP was to discuss with Chief Planning Officer Tim Hill;
- Contrary to design guidance;
- Volume of building had increased;
- Would change the character of the area;
- Designated position of the building;
- It would fill in the gaps between the buildings;
- Loss of amenity to No 5a;
- Loss of light through kitchen window at No 5a;
- Fabian Hamilton MP considered the proposal overbearing, and over dominant;
- MP had concerns in relation to on street parking;
- The proposed dwelling was over development, overbearing, and a negative impact on the area.

Members were provided with guidance in relation to gap fills and of the process and reason for twin applications.

Mr Williams the applicant was at the meeting with his agent Grahame White.

Mr Williams had the following to say that the objector lived across the road and in his opinion people did not like change. Mr Williams read out a letter from an objector stating that the language used was emotive.

He said that work had been undertaken on the two properties either side of his house.

Mr Williams informed the Panel that he had bought the house in 2003 and gained planning permission in 2007. However at that time they had been unable to go ahead with the development which they believe would enhance the character of the area. Mr Williams said that he enjoyed living in Roundhay and wished to leave a legacy for Roundhay.

The following points were noted:-

- That there was on street parking on North Avenue
- There were no yellow lines on North Avenue
- Hedge would be reduced and give more light to the kitchen of No 5a

- The height of the garage could be lowered to give a more symmetrical look
- Hardstanding was to be extended to allow for parking on site at No 5

**RESOLVED** - To defer and delegate approval subject to the receipt of a revised plan that reduces the height of the garage (single storey side extension).

**118 17/02450/FU - VARIATION OF CONDITION 1 OF PREVIOUS APPROVAL 06/00542/FU TO ALLOW CHANGES TO THE RESTORATION PLAN AND PHASING ALL IN LINE WITH SUBMITTED ADDENDUM TO THE ENVIRONMENTAL STATEMENT PECKFIELD QUARRY, RIDGE ROAD, MICKLEFIELD, LEEDS LS25 4DW**

The report of the Chief Planning Officer set out a variation of condition 1 of previous approval 06/00542/FU to allow changes to the restoration plan and phasing all in line with submitted addendum to the Environmental Statement at Peckfield Landfill Site, Ridge Road, Micklefield.

The presenting officer introduced the application which related to an existing landfill site situated at a former quarry near the village of Micklefield. The site accepts non-hazardous putrescible waste with a general classification of industrial and commercial. Mainly residual waste transferred from recycling centres. It was noted that the waste can be odorous and gives rise to landfill gas and leachate, both of which are collected on site. Leachate is exported for disposal at a licenced facility, the gas is used to power four generators located on site. Electricity produced is fed into the grid.

Members were informed that the proposal was for an amendment to the approved phasing and final restoration plan to allow a low-level restoration of an area of the site known as the 'Eastern Neb'. It was proposed to part fill the area with inert waste then engineer a drainage pond to accept surface water run-off from the surrounding land. The pond would soakaway to the underlying aquifer.

Members were advised that shrub planting would take place around the pond to improve the look of the area and aid animal habitats. Members noted that access needed to be kept for future maintenance of the area.

Member's attention was drawn to paragraphs 10.36 to 10.40 of the submitted report which provided information on existing S106 agreements and the possibility of a variation to the S106 securing expenditure and aftercare of the site.

Members were advised that consultation with the current liaison group would continue.

**RESOLVED** - To defer and delegate the approval of the planning application, in accordance with the officer recommendation. This is subject to:



- The completion of a deed of variation in respect of the two existing S106 Agreements (restoration and aftercare scheme following completion of works), and
- Amendment of condition (19 on the Panel papers) to require the continuation of the community liaison group.

**119 18/00067/FU - TWO STOREY AND SINGLE STOREY SIDE AND REAR EXTENSIONS 64 EASTERLY ROAD, GIPTON, LEEDS, LS8 3AN**

The report of the Chief Planning Officer set out an application for a two storey and single storey side and rear extensions at 64 Easterly Road, Gipton, Leeds, LS8 3AN.

Members were advised that the application had been brought to Plans Panel in accordance with the terms of the delegation agreement as the application property is owned by an Elected Member of Council, Councillor Arif Hussain. No representations had been received in relation to the application.

Members were informed that the two storey rear extension would create a living room and a kitchen at ground floor with a bedroom on the first floor. The enlargements to the side of the house would form a toilet and shower facilities. The extension would have a render finish with roof tiles to match the existing house.

Members heard that many of the houses in the area had been extended over the years. It was noted that the property at 66 Easterly Road was slightly elevated from the application property and had a single storey extension to the rear. There were no extensions at the rear of the adjoining neighbour.

**RESOLVED** – To grant planning permission in accordance with officer's recommendation.

**120 Date and Time of Next Meeting**

To note that the next meeting of the North and East Plans Panel will be on Thursday 26<sup>th</sup> April 2018 at 1.30pm.