

PLANS PANEL (WEST)

TUESDAY, 14TH DECEMBER, 2010

PRESENT: Councillor N Taggart in the Chair

Councillors A Castle, B Chastney,
M Coulson, J Hardy, J Harper, T Leadley,
J Matthews and P Wadsworth

73 Chair's Opening remarks

The Chair welcomed everyone to the meeting, noting that the matters on the agenda had been deferred from the meeting cancelled on 2nd December 2010 due to the snow

74 Declarations of Interest

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Leeds Girls High School applications (minute 79 refers):

- Councillor Chastney declared a personal interest as a member of the Far Headingley Village Society which had been consulted on the application and as a member of the North West Inner Area Committee which had received a presentation on previous proposals in 2009
- Councillor Matthews declared personal interests through being a member of West Yorkshire Integrated Transport Authority as METRO had commented on the proposals and as a member of North West Inner Area Committee which had received a presentation on previous proposals in 2009.
- Councillor Taggart declared personal and prejudicial interests as he had undertaken work for the applicant's agents, albeit not in Leeds. He stated he would withdraw from the meeting during consideration of the item
- Councillor Hardy reported he was still not aware of a response to his enquiry to the Grammar School regarding use of the Alwoodley based pitches by Headingley primary schools. It was noted that this did not constitute a declaration of interest for the purposes of the Members Register of Interests
- Councillor Castle declared personal interests both as being a member of Leeds Civic Trust which had commented on the application and as both she and her daughter had been educated at the School

Councillor Chastney Application 10/04346 Cookridge Hospital site – declared a personal interest as he had previously arranged a public meeting on the proposals in his capacity as local ward Councillor although he had not formed or offered a view on this application (minute 85 refers)

Councillor J Harper Application 10/0324/FU Lyric House – stated that although the report on the application highlighted her support for the comments made by her ward colleague Councillor Lowe, she had an open

mind and would consider all relevant matters before she made a decision.
(minute 80 refers)

Councillor Matthews – 111 Otley Road – declared a personal interest as the applicant was known to him (minute 84 refers)

Councillor Castle – Application 09/04512/FU Sentinel Car Park – declared both personal and prejudicial interests as she had used this facility when flying from Leeds Bradford International Airport and having read the officer report did not feel that she could retain an open mind during the deliberations (minute 82 refers)

Councillor Matthews - Application 09/04512/FU Sentinel Car Park – declared a personal interest as a member of West Yorkshire Integrated Transport Authority as METRO had commented on the application (minute 82 refers)

75 Apologies for Absence

Apologies for absence were received from Councillors Akhtar and Wood. The Chair welcomed Councillor Wadsworth as substitute for Councillor Wood

76 Minutes

RESOLVED – That the minutes of the last meeting held on 4th November 2010 be agreed as a correct record subject to the following amendments

- a) minute 66 to include reference to Councillors Leadley and Fox requiring it to be recorded that they abstained from voting on the matter
- b) minute 68 to amend the application description to read Armley, not Farnley

77 Matters Arising

The Panel discussed 3 matters

Recording of Panel meetings – It was agreed that this suggestion would be included on the agenda for the next meeting of the Joint Member Officer Working Group in January

Regional Spatial Strategy – The Head of Planning Services provided up to date information on the current status of the RSS, having regard to the ongoing legal challenges to the proposals to abolish the RSS

Localism Bill – Members noted the publication of the Localism Bill on 13th December 2010 and that a report on the implications for Local Planning Authorities would be presented to the meeting of the Joint Plans Panel on 27th January 2011

Councillor Taggart, having earlier declared a personal and prejudicial interest in the following matter, withdrew from the meeting and took no part in the decision making process.

78 Election of the Chair

Nominations were sought from the Panel for the position of Chair of the meeting for the following item. Councillor Harper was proposed by Councillor Coulson and this motion was seconded by Councillor Castle and supported by the Panel

RESOLVED - Councillor Harper took the Chair

- 79 Applications 08/04214/OT, 08/04216/FU, 08/04220/LI, 08/04219/FU & 08/04217/CA - Residential Development at Leeds Girls High School**
Further to minute 66 of the meeting held 4th November 2010 when Panel resolved not to accept the officer recommendation to approve the applications, the Chief Planning Officer submitted a further report for Members consideration.

Officers reported that the applicant had now submitted appeals against non-determination for all the applications and the Panel was now requested to consider the recommendations as being the grounds which will form the Council's case at appeal.

Officers suggested they proposed a reasonable approach to the overall development of the site, having regard to the forthcoming appeals; and had set out proposed reasons to refuse Applications 08/04214/OT: 08/04216/FU and 08/04217/CA as requested but had included recommendations to approve 08/04219/FU and 08/04220/LI (Rose Court). Grammatical amendments to two of the proposed reasons for refusal were reported.

Members considered each of the proposals before them. The Panel noted that both English Heritage and the Victorian Society had not objected to the principle of conversion for Rose Court. Members were in general minded to support the proposed recommendations with regards to the re-use of Rose Court subject to the detail of the car parking arrangements and access from Victoria Road to ensure the route did not impact on greenspace.

However Members remained concerned about the proposals for the remainder of the site and considered each application in particular having regard to the following:

PPG17 - the weight and relevance of PPG17 to Application 08/04214/OT. It was felt that a further reason to refuse the outline application based on national policy PPG17 could be added as this could be substantiated at the forthcoming appeal. Members commented on the value of this greenspace within the listed setting in this dense inner city area and felt this was an important consideration, regardless of whether the greenspace had been publicly accessible in the past.

Policy N6 – Members considered the weight and relevance of Policy N6 to Application 08/04214/OT and had regard to the advice provided to the LPA by Leading Counsel. Members noted that although they felt the re-provision of the playing fields to Alwoodley was unacceptable; this re-provision could be deemed to be acceptable in terms of function as defined by the Policy. The Panel received advice in terms of the difficulties of relying on local Policy N6 at the forthcoming appeal and resolved not to include reference to it in the proposed reasons to refuse the application

Affordable Housing – there was some discussion over whether this should be provided on-site within a Section 106 Agreement rather than to secure funding for the acquisition of former Houses in Multiple Occupation but this was not supported by the Panel

Members also discussed their concern over the extent and impact of the proposed demolition and the view that any new build should be kept to the northern part of the site. The Panel considered each proposed recommendation individually and also whether to include reference to PPG17 within the reasons to refuse Application 08/04214/OT. Following a vote on each application

RESOLVED – That had the Panel been in a position to do so, the Panel would have made the following decisions

a) Application 08/04214/OT (Outline application for new build development)

– That the application would have been refused for the following reasons:

1. The proposed development, due to its scale, layout, density and impact on the character of the site including its open areas, would be harmful to the setting of the listed buildings and the character and appearance of the Headingley Conservation Area. In addition, the submitted plans fail to adequately demonstrate that the development, and in particular the 4/5 storey flats block to the south-west corner of the site and the potential for impact on trees in the vicinity of that block, would preserve or enhance the character of the Conservation Area. The proposal would therefore be contrary to policies N12, N13, N19 and LD1 of the Unitary Development Plan Review 2006, the Headingley and Hyde Park Neighbourhood Design Statement and to national planning guidance set out in PPS1, PPS3 and PPS5
2. The proposed development would incur the loss of open playing pitch land which makes a significant visual contribution to the character of the area contrary to national planning guidance set out in PPG17

Under the provisions of Council Procedure Rule 16:5 Councillor Wadsworth required it to be recorded that he abstained from voting on this matter

b) Application 08/04216/FU (Change of use and extension including part demolition of school building and stable block to 32 flats and 4 terrace houses in Stable Block) - That the application would have been refused for the following reason:

1. The proposed demolition of that part of the main school building to the east of the retained section of building would result in the loss of part of a building which makes a positive contribution to the character and appearance of the Headingley Conservation Area; and would consequently cause harm to the character of the Conservation Area. In addition, there is no acceptable scheme for the redevelopment of the site and the submitted plans fail to adequately demonstrate that the proposed replacement development would justify the extent of demolition and would therefore adversely affect the character and appearance of the Conservation Area. The proposal would therefore be contrary to policies N12, N13, N19 of the Unitary Development Plan Review 2006, the Headingley and Hyde Park Neighbourhood Design Statement and to national planning guidance set in PPS1, PPS3 and PPS5

Under the provisions of Council Procedure Rule 16:5 Councillors Leadley and Wadsworth required it to be recorded that they abstained from voting on this matter

c) Application 08/04217/CA (Conservation Area Consent for the demolition of rear and side extensions to main school building) - That the application would have been refused for the following reason:

1. The proposed demolition to the east of the retained section of building would cause the unacceptable loss of parts of the building which contribute positively to the character of the Headingley Conservation Area. In addition, there is no approved scheme for redevelopment of the site against which to assess the proposed demolition. The proposed demolition would therefore be contrary to policies N18a and N18b of the Unitary Development Plan Review 2006, the Headingley and Hyde Park Neighbourhood Design Statement and to national planning guidance set out in PPS5

Under the provision of Council Procedure Rule 16:5 Councillor Wadsworth required it to be recorded that he abstained from voting on this matter

d) Application 08/04219/FU (Change of use involving alterations of Rose Court to form 12 flats) - That the application would have been approved subject to the specified conditions contained within the report plus an additional condition to ensure the submission of a detailed plan setting out access arrangements which follow the existing hard standing; and parking arrangements to be agreed in writing by the Local Planning Authority

Under the provisions of Council Procedure Rule 16:5 Councillors Matthews and Chastney required it to be recorded that they voted against this matter and Councillor Wadsworth required it be recorded that he abstained from voting on this matter

e) Application 08/04220/LI (Listed Building application for alterations of Rose Court to form 12 flats) - That the application would have been agreed subject to the specified conditions contained within the submitted report

Under the provisions of Council Procedure Rule 16:5 Councillors Matthews and Chastney required it to be recorded that they voted against this matter and Councillor Wadsworth required it be recorded that he abstained from voting on this matter

The Panel adjourned for a short time at this point. Councillor Taggart resumed the Chair on recommencement of the meeting

80 Application 10/03249/FU - Variation of Condition 4 of approval 09/04363/FU relating to Opening Hours for a Place of Worship at Lyric House, 113-115 Tong Road, LS12

Further to minute 68 of the Panel meeting held 4th November 2010 when Members resolved not to accept the officer recommendation to approve the application, the Chief Planning Officer submitted a report setting out a

proposed reason to refuse the application, based on the Panel's previous concerns

RESOLVED – That the application be refused for the following reason:
The Local Planning Authority considers that the increase in opening hours in relation to the use as a place of worship is unacceptable due to the detrimental impact on the residential amenity for nearby residential properties, by reason of noise and disturbance from the use of the premises and associated comings and goings and associated vehicle movements (particularly during late evening hours). The proposal is therefore considered contrary to policies GP5 of the Unitary Development Plan Review (2006) and guidance contained in Planning Policy Statement 1 – Delivering Sustainable Development (2005).

Under the provisions of Council Procedure Rule 16:5 Councillor Wadsworth required it to be recorded that he abstained from voting on this matter

Under the provisions of Council Procedure Rule 16.5 Councillor Chastney required it to be recorded that he voted against this matter

81 Application 10/04625/FU - Recladding of front elevation with natural stone at 3 Meadow Garth, Bramhope, LS16

The Chief Planning Officer submitted a report on an application seeking to re-clad a residential property. It was noted the applicant was a Member of Council therefore the application required determination by Panel.

RESOLVED – That the application be granted subject to the specified conditions

82 Application 09/04512/FU - Use of land as a secure Off-Site Car Park, Sentinel Car Park, Warren House Lane, Yeadon LS19

Further to minute 40 of the Panel meeting held 9th September 2010 when Members resolved not to accept the officer recommendation to refuse the application but to defer determination of the application, the Chief Planning Officer submitted a report setting out proposed reasons to refuse the application. The Panel had previously been sympathetic to a temporary permission but had not supported a permanent permission

It was reported that the applicants had now submitted an appeal against the non-determination of the application and the reasons for refusal suggested in the report would form the Council's case at the subsequent appeal. Members were asked to form a view of the decision they would have taken had they been in a position to do so.

Officers highlighted the following issues

- The applicants had applied for two Certificates of Lawful Use for airport car parking, one of which included some of the land within the application site. It was reported that there was substantial evidence of car park use during the last 10 years to support the issuing of a Certificate relating to the eastern part of the site, but that further clarification was required regarding the sites within Coney Park Industrial Estate site. These two applications would involve approximately 700 spaces

- LBIA had formally consulted LCC on proposals to create 600 on-site car parking spaces within the Bentley Compound inside the LBIA boundary. This proposal was permitted development and the present intention was that it would be operational by March 2011 to accommodate peak traffic

It was noted the applicants had sent a representation directly to Panel Members and that LBIA had submitted a response to that. The Chair read out the contents of a further letter sent on the day of the meeting by the applicants offering a public transport contribution.

The Panel commented on enforcement matters and the involvement of LBIA in the application process however Members remained of the view that they could not support a permanent permission for car park use on this site.

RESOLVED – That had the Panel been able to determine the application then they would have refused permission for the following reasons which will form the basis of the Council's case at the appeal against non determination:

1. It is considered that the proposed development would undermine the Council objectives of providing sustainable surface access for the benefit of all airport users and the wider community by providing parking outside the remit of a plan-led approach for future parking requirements at Leeds Bradford Airport. It is therefore contrary to Policies SA2, T24A, T30 and T30A of the Leeds Unitary Development Plan (Review 2006) and to the aims of the Leeds Bradford International Airport Adopted Airport Surface Access Strategy (2006) and Masterplan (2005 - 2016) and Government Guidance in PPS1 and PPG13.

2. The proposed development as submitted would result in the loss of part of a key employment site, as designated in Policy E8 of the Leeds Unitary Development Plan (Review 2006), to a non-employment use that would under-utilise an important site in a strategic location. The applicant has failed to show that there are sufficient alternative sites available of equivalent or better quality in the locality. Therefore it is considered that the loss of the proposal site would cause harm to the Council's interest in maintaining opportunities for local employment uses in the locality of west and north-west Leeds, contrary to Policy E7 and E8 of the Leeds Unitary Development Plan (Review 2006) and guidance contained in Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009).

Under the provisions of Council Procedure Rule 16:5 Councillor Wadsworth required it to be recorded that he abstained from voting on this matter

Under the provisions of Council Procedure Rule 16:5 Councillor Matthews required it to be recorded that he voted against the recommendation

- 83 Application 10/03424/LA - Demolition of existing school and erect replacement single storey school with soft play areas, car parking and landscaping at St Peters & St Pauls School, New Road, Yeadon LS19**
The Panel considered an application to demolish the existing school buildings and erect a replacement single storey school. Plans and photographs of the site were displayed at the meeting .

Officers outlined the build process and confirmed the protected playing pitches would not be affected. Furthermore, revisions to the boundary treatment and bin storage area had been made following receipt of comments from local residents. Members noted the LCC ecology and highways officers were satisfied with the proposals. The Panel noted the comment of the local ward Member regarding concerns over management of construction traffic at peak school times and the impact this could have on the A65

RESOLVED – That the application be granted subject to the specified conditions in the submitted report and subject to consultation with local ward Councillors on the detail of the on-site and off-site traffic management scheme

- 84 Application 10/03806/FU - Change of use of vacant retail unit (Class A1) to Restaurant (Class A3) to facilitate an extension to the adjoining Italian Restaurant at 111 Otley Road LS6**

Further to minute 53 of the Panel meeting held 7th October 2010 when Members resolved not to accept the officer recommendation to refuse the application, the Chief Planning Officer submitted a report setting out further consideration of the travel plan, car parking and landscaping issues highlighted by the Panel for discussion.

The report set out the proposed reasons to refuse the application – as presented in October – along with proposed conditions to attach to any permission should the Panel be so minded.

Officers highlighted the highways and car parking situation at the site and the comments of the Council's own Highways Officer. Members welcomed the revisions made to the scheme, including dedicated staff car parking, cycle store provision and landscaping. It was however noted that some of the landscaping was proposed on highways land and could not be implemented, therefore conditions 7 & 8 would need to be deleted from the proposed conditions should the Panel be minded to grant the application.

Members considered the recommendation to refuse the application as set out in the report, but were not minded to support this and following a vote Panel indicated they were minded to approve the application

RESOLVED –

- a) Not to accept the officer recommendation to refuse the application
- b) That the application be approved in principle and final approval be deferred and delegated to the Chief Planning Officer subject to the conditions specified in the submitted report (with the exception of conditions 7 & 8 which are not applicable) plus an additional condition to ensure cycle parking provision is in place prior to operation of the premises and subject to the signing of a legal agreement under Section

106 of the Planning Act to cover travel planning including the payment of a travel plan monitoring fee of £2500

Councillor Hardy withdrew from the meeting at this point, stating that as he had previously received treatment at Cookridge Hospital, he did not feel he was able to take an objective view of any redevelopment proposals

85 Application 10/04346/FU - Laying out of access road and erection of 19 houses at the former Cookridge Hospital Site, Silk Mill Way, Cookridge LS16

The Panel considered the report of the Chief Planning Officer setting out proposals for the residential redevelopment of the former Cookridge Hospital site. Panel had previously approved redevelopment proposals for the site and these were displayed for reference at the meeting. It was noted that the site was now in the ownership of a new developer who sought to amend the layout and residential design of Phase 1 of the proposals. Site plans, architects drawings and proposed elevations of the revised scheme were displayed at the meeting. The Panel also viewed indicative drawings of the overall scheme.

Officers stated the site layout and estate access road would remain broadly the same as those previously approved and went on to highlight the proposals for Phase I of the scheme including

- 19 two storey houses as opposed to 2/3 storey previously
- Integral garages deleted from the scheme
- Good housing mix of detached; semi-detached and terraced styles
- Natural slate roofs
- inclusion of dormers restricted through condition

Officers detailed that the Section 106 Agreement in place for the wider development set out contributions for various matters and reported that as Phase 1 would only trigger Affordable Housing and greenspace contributions, an agreement had been reached with the developer that those contributions would still be paid should the site be sold after completion of Phase 1.

The Panel welcomed the revisions to the scheme and the assurance that contributions were secure. Officers indicated that the applications for the remainder of the site were expected to be submitted in early 2011 at which point a position statement would be presented to the Panel

RESOLVED – That the application be approved in principle and final approval be deferred and delegated to the Chief Planning Officer subject to the specified conditions contained within the report (and any others deemed necessary by the Chief Planning Officer) and subject to the completion of a Section 106 Agreement to cover contributions of £23,507.10 towards greenspace and 7 Affordable Housing units. All contributions to be index linked. In addition, the Section 106 Agreement needs to provide a mechanism for linking this phase of the redevelopment to the delivery of the wider site

Councillor Hardy resumed his seat in the meeting

86 Position Statement on Application 09/04287/RM at Garnetts Paper Mills, Mill Lane, Otley LS21 and Application 10/03695/FU at Gallows Hill, Pool Road, Otley LS21

The Panel received a presentation and supporting report setting out the current position with regards to proposals to redevelop the former Garnetts Paper Mill and associated site at Gallows Hill, Otley. Panel had previously approved proposals for redevelopment of the site in 2007, however since then ownership of the land had changed and Members comments were sought on the revised scheme. The comments of local ward Councillor Campbell were reported verbally at the meeting

Officers briefly outlined the scheme

- Residential housing to the east of the site to be constructed with slate roofs and stone walling, although these could be either natural or art stone. Some homes will front onto the riverside, as will the apartment block
- Commercial aspect retained to the west to include restaurant and office use although the hotel/doctors surgery/crèche facilities now deleted from the scheme
- Retirement apartments located to the southern area of the site
- The eastern access route will be built up over the floodplain to take into account the likelihood of 1:100 year flood and the south eastern area to be retained as flood plain
- The western access point at Mill Lane will provide access to the public car park to the west and provide a bus route.
- Route through the site to be controlled with a bus gate to enable the route to form part of the Otley shuttle bus loop. The gate will prevent general public vehicular access.
- Discussions were still ongoing over the provision of a pedestrian footbridge over the floodplain in the west of the site which could provide dry access/egress in the event of a flood

Members discussed the following issues with officers:

Reduction in the mix of uses. Members did note however the developed site would retain some element of destination and public spaces and have scope for further development in the future. The development of the riverside walkway was regarded as an attractive asset

Sustainable access to the site. Members voiced concern over the impact of flooding on the developed site and accessibility for visitors/residents. Officers responded that even if Mill Road was raised; the western area could still be susceptible to flooding. The Panel noted the comment by the Mill owner who stated their records showed the site had not flooded to the point of impassibility in the previous 100 years.

Pedestrian footbridge. Members commented that the area could become an island site particularly for pedestrians in the event of a major flood but recognised that more detail on the flood risk and necessary engineering works to establish a bridge would be required before they could comment further

Standard of design and quality of materials. Members were keen to ensure the proposals maintained the high quality originally proposed which had

promised an exemplar estate. Members sought a consistent palette of materials for the substantial apartment block.

Section 106 Agreement. Members agreed that detail of the applicants' response to the matters already raised would be required prior to full consideration of proposals for a Section 106 agreement

RESOLVED - To note the contents of the report and the comments of the Panel

87 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 6th January 2011 at 1.30 pm