

PLANS PANEL (WEST)

THURSDAY, 31ST MARCH, 2011

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, B Chastney,
M Coulson, J Hardy, J Harper, T Leadley,
J Matthews, P Wadsworth and R Wood

120 **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:

Councillor Akhtar – Leeds Bradford International Airport - declared a personal interest as he stated that he and his family used Pakistan International Air, mentioned in discussions on enforcement matters, to travel from LBIA to Pakistan (minute 123 refers)

121 **Minutes**

The Panel noted a number of minor amendments to minute 112 as follows:

Para 13 – to reword to clarify that all future residents of the Clariant site would live within the Horsforth ward

Para 15 - to refer to Woodside Quarry (not Mills)

RESOLVED – That, subject to the amendments outlined above, the minutes of the last meeting be approved as a correct record

122 **Matters Arising**

Minute 118 Little London Regeneration – Councillor Leadley stated he had received correspondence confirming that the developers would offer reasonable terms for refurbishment works to existing owner/occupiers of homes within the areas scheduled for refurbishment

123 **Matters Arising from previous meetings**

Leeds Bradford International Airport – Councillor Matthews referred Members to reports presented to previous Panel meetings on noise monitoring at LBIA and Members' resolve to ensure breaches of the conditions, particularly night time breaches, were pursued. He stated that local ward Councillors had been informed that enforcement action was not to be pursued by the Authority.

The Head of Planning Services responded that officers intended to report back with the next 6 monthly update to the next Panel meeting. He outlined the steps which had been taken to address the issue including the desire to introduce a quieter plane. He also confirmed that PIA had breached the night time flight condition twice in January and that there had been high level meetings since then between LCC Members, officers and LBIA representatives where a number of sensitive issues had been discussed. Members expressed concern that a resolution of the Panel was not being implemented but noted that a further report would be tabled for the next meeting

RESOLVED – To note the information

124 Chairs Report - Mr M Darwin

The Chair reported that Mr M Darwin, Head of Highways Development Services was in attendance at this, his last Panel meeting, as he would retire from the Council today. Councillor Taggart provided the Panel with a brief history of Mr Darwin's working life and recognised his significant contribution to Leeds and to the work of the Plans Panels. All Panel Members and officers present expressed their best wishes to Mr Darwin for the future.

125 Application 10/03880/FU/MIN - Erection of an 18.3m (to hub) wind turbine at Grange Farm, Black Hill Road, Arthington, Otley, LS21

Slides showing a site plan, a drawing of the elevation and photograph of a similar sized turbine were displayed at the meeting. Members had visited the site prior to the meeting.

Officers reported updates to the report, namely that the distance to the nearest property boundary should read 330m (not 260m as stated in the report) and that paragraph 10:22 should state that the LCC Nature Conservation Officer had responded in consultation with Natural England.

The Panel heard from Mr B Thompson, Chair of Arlington Parish Council who referred to the presence of Red Kites in the locality and the guidelines issued by Natural England that turbines should be located no nearer than 500m from a nesting site. He suggested this turbine would be within that distance. Furthermore he felt the applicant had not provided evidence of the special reasons to set aside Green Belt policy.

The Panel then heard from Mr P Bailey, agent, in response who described the locality and the siting of the proposed turbine set down within the landscape with significant tree cover to mitigate any visual impact.

Members discussed the following matters:

- The proximity of the Red Kite nesting site. Officers reported the turbine to be approximately 400m away. Neither Natural England nor LCC Conservation officer foresaw a problem with this, however there was no evidence to suggest either way. The Panel discussed the request from NE for the applicant to monitor the impact of the turbine but noted that conditions had to be pertinent to this application and could not require the applicant to gather evidence for future applications
- The turbine would provide electricity for all the requirements of the farm. Any additional power would be relayed to the National Grid for general consumption
- The minimal noise caused by turbines
- Colour of the turbine mast which Members suggested should be unobtrusive but still visible to birds

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

126 Application 10/04068/OT - Outline Application including means of access to erect residential development at the former Clariant site, Calverley Lane, Horsforth LS18

Further to minute 112 of the meeting held on 3rd March 2011 when the Panel resolved not to accept the officer recommendation to approve the application; the Chief Planning Officer submitted a further report setting out proposed reasons to refuse the application based on the concerns raised at that meeting. The proposals had been considered in conjunction with development proposals for the adjacent Riverside Mills site (minute 127 refers) and the same reasons to refuse both applications were dealt with at the same time.

Five reasons were contained within the report, and officers tabled a sixth reason at the meeting following further discussions on the Transport Assessment. Officers clarified that the reasons for refusal were based on the application as made – without the proposals for signalisation of Horsforth roundabout as they had not part of the formal application, although offered and discussed at the Panel meeting.

RESOLVED – That the application be refused for the following reasons:

1. The site lies outside the main urban area, in a location which is remote from local services. As such, the site is not in a demonstrably sustainable location for residential development and the sustainability measures promoted are considered insufficient to outweigh this locational disadvantage. The proposal is therefore detrimental to the aims and objectives of sustainability policy, contrary to adopted Leeds UDP Review (2006) strategic goal SG4, strategic aim SA2, policies H4, T2, T9; RSS (2008) policies YH7, LCR1, T1 and government guidance in PPS1, PPS3 and PPG13.

2. The site is poorly served by non car modes of transport. The proposed bus service is insufficient to meet the minimum standards suggested by the SPD “Public Transport Contributions” and proposals for Calverley Lane North result in disbenefits for cyclists. Consequently residents would be primarily dependent upon use of the private car. The proposal is therefore detrimental to the aims and objectives of sustainability policy, contrary to adopted Leeds UDP Review (2006) strategic goal SG4, strategic aim SA2, policies GP5, H4, T2, T2D, T5, T9; RSS (2008) policies YH7, T1, T3; SPD “Public Transport Improvements and Developer Contributions” (August 2008) and government guidance in PPS1, PPS3 and PPG13.

3. The submitted Travel Plan is unacceptable as regards baseline mode splits and targets, penalties and mitigation if targets not met, travel to school by sustainable transport and the form, timing and length of monitoring. The proposal is therefore detrimental to the aims and objectives of sustainability policy, contrary to adopted Leeds UDP Review (2006) strategic aim SA2, policy GP5, para 6.3.9., 6.3.12, RSS policy T1, SPD “Travel Plans” (May 2007) and government guidance in PPG13.

4. The development is accessed from the A6110 (Ring Road) which is a high speed, heavily trafficked primary route. The access from Calverley Lane South onto the A6110 does not have adequate capacity to cater for the development and is considered unsafe. The proposal is therefore detrimental

to highway safety, contrary to adopted Leeds UDP Review (2006) policies GP5, T2 and T5 of the and government guidance in PPS3 and PPG13.

5. The proposed access works to Calverley Lane North fail to take proper account of cyclists returning to the site, detrimental to their safety and convenience. The proposal is therefore detrimental to highway safety, contrary to adopted Leeds UDP Review (2006) policies GP5, T2, T5; RSS policy T1 and government guidance in PPG13.

6. The Transport Assessment is based on a VISSIM model which has a number of serious flaws; in particular the queue lengths in the existing situation do not validate which has implications for the fallback and development case results. This means that the model does not provide an acceptable representation of impacts on the local highway network and the Transport Assessment cannot be relied upon to make a sound planning decision. The application is therefore detrimental to highway interests contrary to adopted Leeds UDP (2006) policies GP%, T2, T2B and PPG13 paras 23 – 25

127 Application 10/04261/OT - Outline Application including means of access to erect residential development for up to 150 dwellings with associated open space and off site highway works at Riverside Mills, Low Hall Road, Horsforth LS18

Further to minute 112 of the meeting held 3rd March 2011 when the Panel resolved not to accept the officer recommendation to approve the application, the Chief Planning Officer submitted a report setting out proposed reasons to refuse the application based on the concerns raised by Members at the previous meeting. This matter was dealt with in conjunction with the Clariant site proposals (minute 126 refers) as the reasons to refuse both applications were the same

Five reasons to refuse the application were included within the report and officers tabled a sixth reason at the meeting following further consideration of the Transport Assessment.

RESOLVED – That the application be refused for the reasons set out in minute 126 above.

128 Application 10/05548/EXT - Extension of time period for planning permission 08/00397/OT Outline application for one part 3, part 4 storey block of 15 student flats at Moorland Road, Woodhouse, LS6 for

The Panel considered the report of the Chief Planning Officer on an application seeking the extension of time period for implementation of outline application 08/00397/OT for student flats. The Panel had visited the site prior to the meeting. Plans and photographs of the site were displayed. Officers also showed an indicative drawing of the type of development proposed however reiterated that the details of the proposal were reserved for a future application.

Members heard from Mrs S Buckle on behalf of the local community objecting to the scheme who expressed concern over the impact of the block on the

local residents and the number of surplus student bed spaces available across the city. The Panel then heard from Mr D Cook, agent, who stated the site was identified within the UDP as suitable for HMO development and that the building itself would not be as large as the substantial terraces around it.

Members considered whether there had been any material planning changes since the original consent was granted in 2008 and had regard to the fact that the Little Woodhouse Neighbourhood Design Statement had been recently adopted. Members were also mindful that the principle of this development was already established and of the Government Guidance relating to applications seeking extension of time for implementation during the current economic climate. On balance, the Panel recognised that there was no evidence of significant material changes to support a reason to refuse the application

RESOLVED – That the application for the extension of time for implementation of application 08/00397/OT be granted; subject to the specified conditions contained within the report and subject to the completion of a signed Section 106 Agreement for an off-site Greenspace payment of £17,922.34 and a management fee of £600.

(Councillors Akhtar and Hardy withdrew from the meeting at this point)

129 Application 11/00255/FU - Change of Use and alterations and extension to form A2 offices with associated landscaping at 75 Otley Road, Headingley LS6

Plans and photographs of the site were displayed at the meeting along with computer generated graphics of the proposals in the street scene. The Panel had previously received a pre-application presentation on the scheme in December 2010 and officers highlighted revisions made to the proposals since then.

(Councillor Akhtar resumed his seat in the meeting)

Officers reported receipt of one further letter of objection submitted on behalf of the Headingley Renaissance Group relating to the servicing/delivery arrangements for the unit. The Panel broadly agreed that the location of the property opposite the Arndale Centre related as much to the commercial area of Headingley as it did to the residential area.

RESOLVED – That the application be granted subject to the specified conditions contained within the report

130 Application 11/00544/FU - Retrospective application for change of use of retail unit to estate agents (A2) for a period of 2 years at 8 St Anne's Road, Headingley LS6

Plans and photographs of the site were displayed at the meeting. Officers reported concerns relating to the loss of retail vitality on this shopping parade and the supportive comments of the Planning Inspector at an appeal in June 2010 against refusal for permission for change of use to A2 use at 10 St Anne's Road. Officers were however mindful that Panel had recently

approved the expansion of an existing restaurant in the same parade of shops which had resulted in the loss of a retail use.

The Panel heard from Mr S Moran, the applicant, who detailed the business and retail history of the units in the shopping parade and the impact of the recession on the viability of the units. The Panel noted this was a retrospective application which was recommended for refusal, but bearing in mind the recent grant of restaurant use to another retail unit and the likelihood that no other operator would seek to use this unit in the near future; considered the proposed 2 year temporary use to be acceptable in the current economic climate.

RESOLVED –

- a) That the officer recommendation to refuse the application be not agreed.
- b) That the application be approved in principle for a temporary period of 2 years only
- c) That final approval of the application be deferred and delegate d to the Chief Planning Officer (subject to conditions deemed to be appropriate)
- d) To note that a report would be presented to Panel if the applicant chose to appeal the 2 year temporary permission in the future

131 Application 11/00639/FU - Proposed two bedroom detached house to garden site, 5 Caythorpe Road, West Park, LS16

Plans and photographs of the site were displayed at the meeting. Officers highlighted key issues to consider, particularly the fact that Panel had recently approved a similar development for a dwelling with a link to the existing dwelling contrary to officer recommendation in January 2011. The application now before the Panel proposed an entirely detached new dwelling.

Members noted the inclusion of a condition which ensured that Permitted Development rights were removed

RESOLVED – That the application be granted subject to the specified conditions contained within the submitted report

132 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 28th April 2011 at 1.30 pm