

## PLANS PANEL (WEST)

THURSDAY, 15TH SEPTEMBER, 2011

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

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

### 40 Chair's opening remarks

The Chair welcomed everyone to the meeting and reminded Panel Members of the need to switch off their mobile phones etc during the meeting to enable them to concentrate fully on the matters under discussion

### 41 Late Items

There were no formal late items, however the Panel was in receipt of the following additional information to be considered at the meeting:

Application 11/02856/FU – 77 – 77a Otley Road LS6 – a plan of the area tabled by Officers (minute 49 refers)

Applications 11/02100/FU/11/02101/FU/11/02102/ADV and 11/02103/FU – 102 Burley Road – a drawing showing alternative proposals for the front elevation (minute 52 refers)

### 42 Application 11/02910/OT - Outline application to lay out access and erect 98 dwellings at Netherfield Mills Netherfield Road LS20

The Panel's Lead Officer requested the report on this application be withdrawn from the agenda. He explained that the issues around the affordable housing contribution had not been fully articulated within the report and that if Panel agreed to this course of action, a further report would be provided at the next meeting

**RESOLVED** - To withdraw the report from the agenda

### 43 Declarations of Interest

The following Members declared personal 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:

Application 11/02856/FU – 77 – 77a Otley Road LS6 – Councillors Chastney and Matthews declared personal interests through having attended residents' meetings on various planning applications. Both Members stated that they had not formed a view on the application (minute 49 refers)

Application 11/02169/FU – Supermarket with landscaping and car parking at Otley Road Guiseley LS20 – Councillor Harper declared a personal

interest as a member of West Yorkshire Integrated Transport Authority which had commented on the proposals (minute 50 refers)

Application 10/02739/FU – residential development at former Wharfedale Hospital Otley LS21 – Councillor Harper declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the application (minute 51 refers)

Councillor Harper also stated that the report relating to Application 11/02100FU – 102 Burley Road mentioned Councillor Harper and that this referred to Councillor G Harper and not Councillor J Harper

#### **44 Apologies for Absence**

Apologies for absence were received from Councillor Akhtar

#### **45 Minutes**

**RESOLVED** - That the minutes of the Plans Panel West meeting held on 18<sup>th</sup> August 2011 be approved subject to the following amendment to minute 31 – Application 11/02420/FU – 53 Ash Grove LS6

‘That the application be granted subject to the conditions set out in the submitted report and additional conditions restricting conversion of the basement to a habitable room and the submission of further details of the lightwell’ be amended to read:

‘That the application be granted subject to the conditions set out in the submitted report and additional conditions preventing conversion of the basement to a habitable room and the submission of further details of the lightwell’

#### **46 Matters arising from the minutes**

Minute 34 – Application 11/00897/RM – Stonebridge Lane Wortley LS12

Reference was made to a deputation to the Council meeting held on 14<sup>th</sup> September regarding the impact of a supermarket at the Stonebridge Mill Site on local businesses

Minute 28 – Application 11/02021/FU – Headingley Carnegie Stadium St Michael’s Lane LS6

Reference was made to a recent newspaper article regarding the future of the stadium; that there were financial issues preventing its redevelopment but that bidding would still take place to host top flight matches, with concerns being raised that the Panel had been rushed into making a decision on a scheme which could have benefited from further amendments

#### **47 Draft Householder Design Guide**

Members considered a report of the Chief Planning Officer outlining the consultation strategy for the Draft Householder Design Guide which would

commence on 19<sup>th</sup> September. A copy of the draft guide had been sent to Members separately from the agenda

Officers presented the report and informed Panel that the document formalised the current approach being used to assess planning applications and encouraged good design

Three new policies were proposed; these related to character, neighbourhood amenity and extensions to properties in the Green Belt, in particular 'limited extensions' within the Green Belt were to be defined as approximately a thirty percent increase on the volume of the original building

Members commented on the following matters:

- how the guide would be applied to permitted development
- the forthcoming changes to planning legislation and whether this document would be compatible with this
- the number of planning documents Members received and the need for a list to be circulated advising Members which documents remained current. The Panel's Lead Officer agreed to provide this

**RESOLVED** - To note the report, the proposed consultation strategy and the comments now made

**48 Application 11/02569/FU - Part two storey part single storey side and rear extension with porch - 82 Moorland Road LS28**

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which related to house extensions, partially built, at 82 Moorland Road Pudsey. Members were informed that an extant permission granted in 2008 would allow the construction of a ground floor extension up to the boundary

There were concerns about the workmanship of the extension and that if agreed, Building Control would work closely with planning officers and the applicant on the revised scheme

The Chair indicated he was minded to request deferral of the application to enable issues around the quality of the work on the site to be resolved before considering this latest application

Members commented on the following matters:

- whether the quality of the works could be considered by Panel and the purpose of the delay if determination of the application was deferred
- the need for the situation to be resolved
- that the brickwork on the corner of the extension did not accord with the approved plans and concerns that if the situation was not remedied it could lead to costly enforcement action
- the need for information from Building Control on which elements of the existing extension could be retained
- that Members needed assurances that what had been designed could be built; that measures had been taken to

improve the situation and the need for close working with Building Control

Officers stated that having checked the building control records, the walls which had been constructed were wholly unauthorised and whilst enforcement action could be taken, there was a scheme before Panel which might be considered to be acceptable

**RESOLVED** - To defer determination of the application to enable Officers to discuss and address the issues raised by Panel with the applicant and to ask the Chief Planning Officer to submit a further report in due course for Panel's determination of the application

**49 Application 11/02856/FU - Change of Use of part ground floor and all first floor from retail (class A1) to restaurant (A3) at 77 - 77A Otley Road LS6**

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought a change of use of a commercial property in the Headingley District Centre and Conservation Area to restaurant use

The property was not a primary shopping frontage and as previous planning permission had been granted on the property for a solicitors office, Officers were of the view that a non-retail shopping use could not be refused

In terms of car parking to be provided, this was less than the UDP maximum, however there was parking in the vicinity which could be used and it was felt that it would not be possible to sustain a refusal of the application on lack of parking

The proposals would see a new entrance at ground floor level and a provision of a lift which would access much of the property, with an aspiration to create disabled access to the whole of the building; currently disabled access to the building was limited

Members were informed of 20 objections which had been received from members of the public and that Councillors M Hamilton and Chapman had raised concerns about the application

The Panel heard representations from a local resident against the application and the owner of the property for the proposal who attended the meeting

Members commented on the following matters:

- the extent of the restaurant usage and that the proposals detailed by the owner suggested a bar (A4) use as well as that being applied for
- details of the servicing arrangements
- concerns at the loss of a retail unit
- car parking and the particular problems this caused in the Headingley Ward; that currently unauthorised parking was taking place on Council owned land to the side of the property resulting in damage to an established tree and that this would continue if the application was granted
- the level of parking being proposed; that this would not cater for those using the restaurant, particularly late into the evening and

would lead to increased on-street parking, including the blocking of Otley Road once the single yellow line restriction ceased to apply in the evening

The Panel's Highways representative explained she thought there were double yellow lines along this stretch of Otley Road and that had she known these were single yellow lines she would have requested the inclusion of a deferred TRO for the applicant to fund double yellow lines if problems occurred with the restaurant use

In view of this comment, the Chair stated that this was a material planning consideration and proposed the application be deferred for further consideration

Members considered how to proceed

**RESOLVED** - That consideration of the application be deferred and that the Chief Planning Officer be asked to submit a further report which addressed the issues raised by Panel and including details on the level of public car parking available in the Arndale Centre; access arrangements; the protected tree adjacent to the site and the background to the conversion of allotments to car parking, as shown on the plan tabled by Officers

**50 Application 11/02169/FU - Supermarket with car parking and landscaping - Otley Road, Guiseley, LS20**

Plans, photographs and graphics were displayed at the meeting

Officers presented a report which sought permission for a supermarket on an out of centre vacant brownfield site on Otley Road Guiseley which fronted Green Belt land

The store would be located towards the front of the site to enable adequate screening to the Green Belt. The servicing area would be at the rear of the site and positioned at the furthest point from the residential properties on Bradford Road to minimise noise and disturbance

The proposed materials would comprise brick and glazing which were considered to be acceptable in the area which featured a range of different finishes

Officers reported three additional letters of objection which had been received together with a letter of support from the adjacent business

Members commented on the following matters:

- highways issues
- car park security; that consideration needed to be given to additional measures including CCTV or speed bumps and that these should be discussed with Ward Members
- that a condition requiring the car park to be secured after closing time be included to address anti-social behaviour issues
- the definition of a discount operator as set out in the proposed Section 106 Agreement

Officers provided the following responses:

- that the alterations to the access to allow right and left turns had been modelled and that the assessments indicated these modifications would be effective. Furthermore the predicted trip rates would not be so great to indicate there would be a problem

- that a detailed scheme for securing the car park had to be submitted and that the concerns raised about anti-social behaviour had been noted and that Ward Members would be consulted on the proposals
- that a condition restricting the use of the premises to a discount retailer was not enforceable. Officers therefore suggested a replacement condition which tied the permission to the proposed operator; this condition being applied to ensure the proposed car parking was adequate for the proposed use

**RESOLVED** - To defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report, a revised condition tying the permission to the proposed operator, consultation with Ward Members on the detailed scheme for securing the car park and subject to the signing of a Section 106 agreement within three months from the date of the resolution to ensure the following:

- travel plan, travel plan co-ordinator and monitoring fee of £2500
- bus shelter improvements of £10,000
- public transport enhancements of £64,302
- agreed off-site highway works including TRO parking restrictions (completed via a S278 Agreement)
- local employment initiatives

**51 Applications 10/02738/LI & 10/02739/FU and Listed Building application 10/02788/LI - Conversion of buildings to form 26 flats and 14 houses and erection of 35 new houses with associated car parking and landscaping - Former Wharfedale General Hospital, Newall Carr Road, Otley, LS21**

Plans, photographs and graphics were displayed at the meeting. A site visit had taken place earlier in the day which some Members attended

Officers presented the report which sought approval for full planning permission and a Listed Building application for the conversion and development of a residential scheme on the site of the former Wharfedale Hospital at Newall Carr Road Otley LS21

Members were informed that the majority of the Listed Buildings would remain on site although the laundry building would be demolished due to problems in converting this building, as would the mortuary due to the previous use of the building, although objections to its demolition had been received, including one from the local MP. The retaining carriage-way entrance to the site would be retained as would the existing boiler house which would be used as a heating source for the development, although it was proposed to reduce the chimney by approximately 10 metres. Two of the original four red-tiled turrets to the main building which were a feature of the landscape would remain, with two turrets being replicated on the new rear extension to the building to retain this landmark. The unsympathetic 1950s/60s extensions and infills would be removed as part of the proposals

In terms of affordable housing which was negotiated before the interim policy was brought in, a level of 30% would be provided due to the level of abnormal costs associated with the site

Members commented on the following matters:

- car parking and whether the residents only parking scheme would be extended to Newall Carr Road
- pedestrian access through the site to access the bus serving the new hospital building

Officers provided the following responses:

- the permit parking would be extended to residents of Newall Carr Road
- that Officers had sought a pedestrian link through the site to the bus stop outside the new hospital and put this to the NHS Trust. Unfortunately access on to hospital land had been refused which was a disappointment

#### **RESOLVED –**

##### Application 10/02739/FU

To defer and delegate approval of the application subject to the conditions set out in the submitted report and to the signing of a Section 106 Agreement within three months from the date of the resolution to ensure the following:

- 30% affordable housing built on site (50/50 split)
- Greenspace contribution of £39,054.02
- Bus shelter improvements of £10,000
- Off-site highway works contribution of £43,000
- Residential metro card scheme for residents of £28,304.32
- Public transport enhancements of £49,487
- Travel plan, travel plan co-ordinator and monitoring fee of £2500

##### Application 10/02738/LI

To defer and delegate approval of the application subject to the conditions set out in the submitted report

#### **52 Applications 11/02100/FU, 11/02101/FU, 11/02102/ADV & 11/02103/FU - Extensions and alterations, provision of air conditioning units, signage and fencing - 102 Burley Road, Burley, LS3**

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members attended

Members were informed that the alteration from a public house (A4) use to shop (A1) use was permitted development and that the applications before Panel sought permission for alterations, signage and fencing to The Queen public house at 102 Burley Road, to form a retail store

A new, glazed element was proposed but the main public house building would be retained and improved

The Panel heard from the applicant and an objector who attended the meeting. Councillor Gerry Harper was also in attendance for this application

Members commented on following matters:

- the possibility of creating the store entrance by glazing the alleyway so retaining the 4 archways which were a feature of the front elevation of the building. Members were informed that this was not possible as the access was not solely in Tesco's control. However, an alternative plan was tabled showing the

entrance to the store affecting only two of the four arches. Members accepted this compromise

- the impact of the proposal on local businesses. The Chair advised that this could not be considered as it was not a factor in any of the applications for determination

**RESOLVED –**

Application 11/02101/FU – 3 Air conditioning units

To approve the application subject to the conditions set out in the submitted report

Application 11/02100/ADV – Signage

To approve the application subject to the condition set out in the submitted report

Application 11/02103/FU – Fencing

To approve the application subject to the conditions set out in the submitted report

Application 11/02100/FU – Single storey rear extension and alterations

That by a majority decision, to approve the application on the basis of the plan showing the reduced entrance width affecting only 2 of the archways and subject to the conditions set out in the submitted report

(During consideration of this matter, Councillor Janet Harper and Councillor Leadley left the meeting)

**53 Date and Time of Next Meeting**

Thursday 13<sup>th</sup> October 2011 at 1.30pm in the Civic Hall, Leeds