

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 20TH JUNE, 2013**

**PRESENT:** Councillor J McKenna in the Chair

Councillors J Akhtar, J Bentley, A Castle,  
D Congreve, R Finnigan, C Gruen,  
C Towler, P Truswell, J Walker and  
R Wood

### **8 Late Items**

Although there were no formal late items, the Panel was in receipt of the minutes of the South and West Plans Panel meeting held on 23<sup>rd</sup> May 2013, which were omitted from the agenda in error (minute 11 refers)

### **9 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests, however in respect of the applications for an Asda and Tesco at Beeston, Councillor Truswell and Councillor McKenna drew Panel's attention to their membership of the Co-operative Society as they felt it was in the public interest to do so, as the proposals could have an impact on the Co-op store situated in Beeston Local Centre (minutes 14 – 16 refer)

### **10 Apologies for Absence**

Apologies for absence were received from Councillor Coulson who was substituted for by Councillor Congreve

### **11 Minutes**

**RESOLVED** - To approve the minutes of the South and West Plans Panel meeting held on 23<sup>rd</sup> May 2013

### **12 Preapp/12/00279 - Proposed redevelopment of former ice packing factory to provide religious community centre, sports hall and catering business - 49 Barkly Road, Cross Flatts, Leeds, LS11 7EW**

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

Officers presented the report which related to pre-application proposals for a religious community centre, sports hall and catering business at 49 Barkly Road LS11

Members were informed that the character of the surrounding area was predominantly residential, although other uses including industrial use, workshops and a primary school surrounded the site

In terms of car parking, 74 car parking spaces at the front of the site were proposed together with 3 coach parking bays

The proposed catering unit would be a self-contained unit and have a separate access

In respect of the design of the proposals, discussions had taken place on this and some revisions had been made. A particular feature of the main building would be the erection of a 16m high minaret, although this would be for decorative purposes only. For information, Members were informed that the highest point of the existing buildings measured 13.5m

Highways issues remained a concern, particularly in view of the proposed mix of uses on the site and the implications this could have for on-street parking. Further information was being sought from the applicants to enable a full assessment to be undertaken of the highways issues involved

The impact of the proposals on residential amenity would also need to be considered. The previous factory use on the site had generated complaints about operating hours and delivery vehicles waiting to off load, causing noise and disturbance to local residents. The proposals would need to be assessed to establish whether the intended uses would generate similar or different problems. In respect of the catering unit there was the potential for noise and odour from extraction equipment

Officers reported the receipt of 33 additional letters of representation which had been received following publication of the report, with issues relating to impact on existing businesses; an intensification of uses on the site; possible longer operating hours and that a residential scheme which would provide affordable housing was more suitable in this location

The Panel received a presentation on the proposals from the applicant who provided the following information:

- that the charity Aspiring Communities, was behind the application. This organisation was run by volunteers and its aim was to improve communities, tackle prejudices and stereotypes, with community cohesion being a priority. The charity catered for all aspects of society and had members in over 30 towns and cities
- that Beeston was a multi-cultural part of the city; that it lacked investment; that it benefitted from the presence of a large number of faiths and that it was a sustainable location, with good public transport links to the wider area
- that the proposed uses would be a community hall; sports and recreation hall; Islamic learning centre, incorporating a multi-faith centre and a catering unit. A charity drop-in centre would also be provided for use by other charities
- that the proposals represented a ground-breaking scheme and that both positive and negative feedback had been received to them

- that the scale of the development had been reduced from its original idea, to enable the massing of the building not to increase its impact on the nearby residential dwellings
- that extensive parking was being provided on the site but that one or two large scale events, for up to 1500, would take place annually, which would require considerable additional parking, with the possibility of using an area off site for parking and then providing a shuttle service to the venue. The timing of these largescale events would be arranged so as not to coincide with a Leeds United home game at Elland Road
- that a phased approach would be taken to the development and occupation, with the offices being retained as a temporary centre
- that a traffic assessment for all of the proposed uses had been carried out by a reputable, independent company which had been submitted to Officers
- regarding numbers using the venue, that this would be managed through a booking system; that a range of uses could be accommodated for, although the capacity of the function room would be for 400 and that the cost of using the facilities would be subsidised for low income families. With the exception of the large annual events, in general, large numbers would not be catered for
- that greater function hire was likely to take place at weekends, with a function possibly taking place once a week
- that a Board had been formed two years ago for this community stakeholder project
- that 8 paid posts would be created through the scheme, with one of these being a sustainability manager, to manage the centre on a day to day basis and that the jobs created would be for local people
- that a significant investment of £4-5m was being made for this innovative scheme

Members then heard from a representative of Beeston Forum who provided the following information:

- that Beeston Forum opposed the proposals due to concerns about highways and disturbance to residential amenity as from the plans it was clear that a large number of people would be visiting the site
- that lengthy opening hours were being proposed
- the proximity of the school to the site, with concerns that this was closer than shown on the submitted plans
- the likelihood of on-street parking occurring from people visiting the premises and the increased traffic generation the development would create
- concerns about the proposed catering unit and the potential for nuisance to the residential dwellings sited near by

- that a previously approved residential scheme was more appropriate for the site and that the scale of the proposals were too large for this area

The Panel then had the opportunity to ask questions of the two speakers and then comment on the proposals

Members commented on the following matters:

- that further information on the membership of the Board and the sustainability of the organisation was requested
- concerns about possible numbers using the site for functions. On this matter the Panel noted Mr Rahman's comments that there was not an intention to let the premises as a commercial venture and that he was willing to accept a condition preventing wedding functions from taking place on the premises
- the use of the premises for funerals and the possibility of a large number of car borne visitors attending these, with concerns about highways and parking issues. The Panel again noted Mr Rahman's statement that the organisation would accept conditions relating to these issues, if it was felt appropriate
- the facilities available for young Muslims in the area, particularly primary school children. Members were informed that all age groups were catered for and along with sports facilities there would be evening classes, health and career advice and support for a range of issues, including language
- the prayer facilities; the peak time for their use and the likely method of travel, with mixed views about this

At this point Councillor Akhtar drew Panel's attention to the fact that he was a practising Muslim, as he felt it was in the public interest to do so

- the possibility of pressure being put on the organisation to hold larger events more frequently than was intended. The non-profit nature of the scheme was reiterated, with the possibility of conditioning event use being suggested by Mr Rahman
- the Governance arrangements, with Members being informed that operational sub-committees would be established which would be made up of local people
- the need for further consultation to be undertaken within the local area, particularly with the local faith communities, Beeston Forum and other groups which were not part of the Aspiring Communities organisation
- the particular problems of on-street parking in this area due to the proximity of Elland Road and the potential for this to worsen if the parking issues associated with the scheme were not properly addressed from the outset
- whether there was a demand in the area for affordable housing and the need for details to be provided of the number of sites in the Beeston and Holbeck Ward designated for future housing development

- the scale of the development, which for context, was slightly larger than the proposals for a new supermarket being considered later on the agenda, and also for context, the level of car parking being proposed in the two supermarket developments before Panel, i.e. 164 and 195 spaces respectively, and whilst accepting the use was different, that only 74 car parking spaces were being proposed for this scheme for uses where people could be expected to park for several hours
- that the proposals represented a extremely large, community facility
- the need for any traffic management plan to be robust and sound, be submitted to Panel and include details about how it would be controlled and enforced
- concerns about the design of the building; how the different areas would be used and whether, from the drawings provided, sufficient light would be available for the various intended uses
- that the decorative minaret should not exceed the height of the highest point of the building; that the diversity of brickwork on the frontage was welcomed but that further design improvements were needed to the front elevation
- that further conditions should be considered regarding no music outside the building; no marquees to be erected or outdoor events held and possible noise restrictions at the boundary, in the interests of protecting residential amenity
- that local Ward Members and residents felt strongly there should be no access to the catering facility from the rear entry to the site, as the use of this access had led to issues of noise and nuisance from the former occupier of the site. A condition in respect of the size of vehicles to the catering unit should be included and that this should specify no HGVs
- the need for the catering unit to be properly conditioned to prevent noise and odour nuisance
- the hours of operation of the sports hall which should be reduced from 10.00pm to 9.00pm and that some sound insulation to this area should be required
- that the principle of this development could be beneficial, particularly the principle of community cohesion but that much more information on how this could be achieved was required
- the scale and design of the existing development, with concerns that the current material of the large, modern unit on the site was unacceptable and that better cladding of this should be required as part of the proposed scheme

In respect of the specific issues in the report where Members' comments were sought, the Panel's Lead Officer summarised these from the comments made and noted that whilst there was support in principle for the scheme, concerns remained in respect of:

- scale and design
- highways and parking

- impact of the proposals on residential amenity

and that further information was required on these matters and the other issues raised by Members, including details about the community cohesion the scheme could bring to the area

**RESOLVED** - To note the report, the presentation and the comments now made

**13 Applications 11/02390/LI and 11/02389/FU - Listed Building application to demolish former corn mill building and planning application for part two and part three storey office block - Corn Mill Fold, Cornmill View, Horsforth Leeds, LS18**

Further to minute 40 of the South and West Plans Panel meeting held on 6<sup>th</sup> December 2012, where Panel considered a position statement for planning permission and Listed Building consent for the demolition of a former corn mill building and the erection of an office development at Corn Mill Fold, Corn Mill View Horsforth LS18, Members considered a further report of the Chief Planning Officer setting out the formal application

Plans, photographs and drawings were displayed at the meeting

Officers presented the report and provided further information to Panel on the following matters:

- the contamination which existed on the site and which would need to be removed had now been found to be more serious than had at first been thought
- the need for higher finished floor levels of any development to protect against flooding
- that only 14 car parking spaces were being proposed and the view of Officers that 28 spaces were needed for the development being put forward
- that the possibility of using some of the nearby residential car parking for this development was not acceptable
- that whilst the Conservation Officer was prepared to accept the design of the scheme, the issue about the level of car parking proposed remained
- that demolition of the former corn mill could not be agreed to as the alternative, proposed scheme was not acceptable

As the Officer's recommendation was to refuse the application, the Panel heard representations from the applicant's agent in support of the development and from an objector to the proposals

The Panel considered how to proceed

**RESOLVED** - That the applications be refused for the following reasons:

Application 11/02390/LI

The applicant has not put forward an acceptable scheme for the redevelopment of the site. The proposed demolition of this listed building cannot therefore be justified in the terms set down in paragraphs 131 to 133 of the National Planning Policy Framework, and the development is contrary to Policy N14 of the Leeds Unitary Development Plan (Review 2006) which

states that demolition of a listed building will be permitted only in exceptional circumstances and with the strongest possible justification

Application 11/02389/FU

1 The development would result in a demand for car parking which cannot be satisfactorily accommodated within the site. This would lead to an increase in on-street parking which would be detrimental to the safe and free flow of traffic and pedestrian convenience and safety and would be contrary to policies GP5 and T24 of the Leeds Unitary Development Plan (Review 2006)

2 The proposed development, as a result of its design and size, fails to reflect the scale and massing of the listed building. In particular the south elevation of the mill (whether rebuilt or retained in situ) will appear as though it has been transplanted onto the face of a larger and unrelated scheme and will lack integrity. The proposal is therefore contrary to policies N13, N14 and N16 of the Leeds Unitary Development Plan Review and the requirements of the NPPF to secure high quality design

**14 Introductory Report - Application 11/04306/OT, Site of Asda Store, Old Lane Beeston and Application 10/04404/FU, Site of proposed Tesco Store Junction of Moorhouse Avenue and Old Lane, Beeston**

Members considered an introductory report on the two applications submitted for supermarkets on Old Lane, Beeston LS11

The Chair outlined the way the applications would be dealt with which would see both schemes introduced, then speakers for each application, questions, discussion and then determination of each of the applications

**RESOLVED** - To note the report and Officer recommendations contained within it

**15 Application 10/04404/FU - site of Tesco store - Junction of Moorhouse Avenue and Old Lane Beeston LS11 and Application 11/04306/OT - Site of Asda Store Old Lane LS11**

Further to minute 24 of the South and West Plans Panel meeting held on 8<sup>th</sup> November 2012, where Panel resolved not to accept the Officer's recommendation to refuse an application for a supermarket at the junction of Moorhouse Avenue and Old Lane, Beeston LS11 and requested that the application be deferred for further information, Members considered a further report. Appended to the report was a copy of the Officer's report to 8<sup>th</sup> November 2012 Panel and the approved minutes from that item

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and a representative of the Council's retail consultants, was in attendance to respond to questions and comments from the Panel

Members were informed that following the meeting in November 2012, Officers requested further information from both applicants. The applicant for this site elected not to provide additional survey work in support of their application as it was Tesco's view that the survey work they had previously submitted still stood and it was their view that both of the schemes were viable, together with the proposed Asda store at Middleton

The view of Officers was that the impact of introducing a new offer into the area for top-up shopping would have a considerable impact on the viability of the Beeston Local Centre and it was for this reason that the recommendation to Panel was to refuse the application

Officers then introduced the application for a supermarket on Old Lane

Further to minute 25 of the South and West Plans Panel meeting held on 8<sup>th</sup> November 2012, where Panel resolved not to accept the Officer's recommendation to refuse an application for a supermarket at Old Lane, Beeston LS11 and requested that the application be deferred for further information, Members considered a further report. Appended to the report was a copy of the Officer's report to 8<sup>th</sup> November 2012 Panel and the approved minutes from that item

Plans, photographs and graphics were displayed at the meeting

Officers presented the report and a representative of the Council's retail consultants, was in attendance to respond to questions and comments from the Panel

Members were informed that the applicant, Asda, had submitted further information in the form of customer surveys obtained from its existing store on the site and from survey carried out at Beeston Local Centre

The Council's retail consultant had considered the information and the level of linked trips from the existing store to the other facilities at the local centre, which was of particular importance

Being mindful that the Panel had not accepted the impact of the development on the Dewsbury Road Centre as a reason to refuse the application, it was now the view of Officers that the existing Asda store already provided top-up shopping and that there was likely to be less of an impact on the local centre if this development was built and therefore the recommendation to Panel was to approve the application

Members heard representations on behalf of the applicants and from a local resident who made general objections to both schemes

Members commented on the following matters:

- the likely impact of the applications on Beeston local centre. Mr Connell from Colliers, the Council's retail consultant stated that the local centre depended on the draw of Beeston Co-op for top-up shopping; that introducing a new offer into the area, i.e. Tesco, would have a greater impact and that two supermarkets in close proximity of the local centre would have a significant detrimental impact on it



- the timescales for the development of the Asda store, if granted permission, due to the delays experienced at the Middleton site and whether a reduced period for the submission of Reserved Matters and commencement of construction would be accepted. A representative of Asda who attended the meeting stated that the Old Lane store would be reasonably straightforward to develop unlike the Middleton site which had required several issues to be resolved before development could commence. Work on the Middleton Asda would commence in August 2013, with its opening planned for May 2014. For the Beeston site the suggested 6 months for Reserved Matters submission and 6 months for commencement of development was agreed to
- the need for local employment to be included in the S106 Agreement
- how Officers had approached the applications in view of Panel's previous decision and a view that both applications should be allowed and the matter left for market forces to decide. The Head of Planning Services stated that a cumulative impact assessment was recommended to be undertaken and that both applicants had approached this differently. The view of Officers was that together the two stores would have an impact but that the decision rested with Panel

Members considered how to proceed

**RESOLVED** – To note the reports, and the information provided and to move to determination of the applications

**16 Application 11/04306/OT - Demolish existing buildings and erect retail foodstore (Class A1), with car parking, landscaping and access - Site of Asda store Old Lane, Beeston, Leeds, LS11**

Having had regard to the contents of the introductory report, the Officer's report relating to this application; the presentations and discussions, the Panel

**RESOLVED** - To approve the application in principle and to defer and delegate to the Chief Planning Officer for approval, subject to the specified conditions (and any other conditions required necessary), the amendment of condition no 2 requiring submission of Reserved Matters to be within 6 months, with development commencing within 6 months of submission of last reserved matter and following completion of a Section 106 Agreement to cover the following matters:

- 1 £2500 Travel Plan Review fee
- 2 £1500 for provision of dropped kerbs at the junction of Jessamine Avenue with Grovehall Parade
- 3 £10,000 for provision of live bus information display at stop number 10074 (on Old Lane)
- 4 £175,680 as a public transport contribution
- 5 £50,000 as a traffic monitoring fee for monitoring of traffic during development and implementation of any required TROs

- 6 Provision of pedestrian refuse islands on Old Lane (s278 required)
- 7 Provision of alterations to the Beeston Road approach to the Old Lane/Town Street roundabout (s278 required)
- 8 Provision of an access from the southern boundary of the site to Back Lane (s278 required)
- 9 Job and training provision for local residents

In the circumstances where the S106 has not been completed within 3 months of the resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

In accordance with Council Procedure Rule 16.5, Councillor Truswell required it to be recorded that he abstained from voting on this matter

**17 Application 10/04404/FU - Application for the erection of retail store with car parking and landscaping - Junction of Moorhouse Avenue and Old Lane LS11**

Having had regard to the contents of the introductory report, the Officer's report relating to this application; the presentations and discussions, the Panel

**RESOLVED** - That the application be refused for the following reason:

The Local Planning Authority considers that the proposed retail store, when considered with other commitments, would be likely to have a significant adverse impact on the vitality and viability of Beeston Local Centre. The proposal is considered to be contrary to Policy S5 of the Unitary Development Plan Review (2006), the guidance contained within the National Planning Policy Framework and emerging Policies P5 and P8 of the Draft Core Strategy

In accordance Council Procedure Rule 16.5, Councillor Truswell required it to be recorded that he abstained from voting on this matter

**18 Application 13/00521/FU - New Cricket Pavilion at Rodley Cricket Club, Town Street, Rodley, Leeds, LS13**

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

The Panel's Lead Officer presented the report which sought permission for a new cricket pavilion at Rodley Cricket Club, Town Street Rodley, which was located in the Green Belt

Members were informed that the proposal was an acceptable use in the Green Belt and that Sport England had not objected to the application

Whilst some concerns had been raised locally about the visual impact of the pavilion on nearby properties, it was considered that the pavilion would not obstruct views and would not appear unduly dominant

In terms of possible noise and disturbance from the social space within the pavilion, Members were informed that this was a small space; that the social facilities would be used only after matches and that this could be secured through a planning condition with a further condition being imposed to prevent opening hours beyond 9.30pm. If minded to approve the application, a further condition was proposed to restrict the amount of floorspace for the bar area to that shown on the submitted plans. It was noted that paragraph 8.1 of the submitted report relating to the RSS was incorrect, as the RSS had now been revoked

The Panel heard representations from an objector who attended the meeting, with particular concerns being raised about the impact on the ability of the other sports club which currently shared the existing club house with the cricket club to secure a larger facility in the future

Members considered how to proceed. The possibility of deferring determination of the application to enable Ward Members to discuss the proposals with the relevant parties was suggested

The Panel then heard from a representative of the applicants who outlined the need Rodley Cricket Club had of a new pavilion to meet the requirements of the new league the club was in

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report and an additional condition relating to the amount of floor space which could be occupied by the bar, not to exceed that shown on the submitted plan

In accordance with Council Procedure Rule 16.5, Councillors Akhtar, C Gruen and Wood required it to be recorded that they abstained from voting on this matter

**19 Application 13/01100/RM - Demolition of existing buildings, laying out of access roads and erection of 106 houses - University of Leeds, Bodington Hall, Otley Road Adel LS16**

Plans, photographs and graphics were displayed at the meeting

Officers presented the report which sought approval of Reserved Matters for the demolition of existing buildings, laying out of access roads and erection of 106 houses at Bodington Hall, Otley Road, Adel LS16

Members were informed that although the outline approval had been for 160 dwellings, revisions had been made to the scheme and that a smaller scheme was now being proposed

The 106 dwellings would be predominantly detached properties of 4 – 5 bedrooms, although some smaller, 2-3 bedroom properties would be included. Affordable housing comprising 16 units would be provided in two areas of the site

The design of the dwellings was fairly traditional as an overall concept, with materials being brick and slate with some artificial stone-faced properties being included. The majority of the dwellings would be two storey in height

The receipt of two further representations was reported, with Members being informed that these raised no new issues

Concerns raised by Councillor Anderson were conveyed to Members in respect of the highways impact of the development and the capacity of local schools to accommodate the children from the site. The need for appropriate conditions relating to highways and landscaping was also stressed as was the implementation of the traffic calming measures to take place before the first dwellings were occupied. The withdrawal of a local bus service was also highlighted

The Panel's Highways representative informed Members that the outline application had dealt with the off-site impact of the scheme and that measures had been taken to discourage drivers from using the site to by pass Otley Road and that local concerns about rat running were unlikely to be founded

Members discussed the application and commented on the following matters:

- the design of the dormers, with concerns about the flat roof dormers being proposed. Officers stated that flat roof dormers were not considered to be out of character and that a development close by had adopted the same design, to good effect
- the access to the site from Adel Lane. Members were informed that no physical changes had occurred to the existing site access and that it was felt it would work and was as discreet as possible
- the size of the proposed driveways and whether these would be able to accommodate two large vehicles. Members were informed that the length of the driveways had been designed to guidelines contained in the Street Design Guide
- the management of the woodland area adjacent to the development. Members were advised that the outline permission had dealt with the management of this area, through the S106 Agreement. Areas of woodland would be given over to a woodland management company with residents paying a surcharge for this

**RESOLVED** – That the application be granted subject to the conditions set out in the submitted report

In accordance with Council Procedure Rule 16.5, Councillor Finnigan required it to be recorded that he abstained from voting on this matter

## **20 Date and time of next meeting**

Thursday 18<sup>th</sup> July 2013 at 1.30pm