

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 29TH APRIL, 2021**

**PRESENT:** Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,  
C Campbell, S Hamilton, J Heselwood,  
D Ragan, J Shemilt, P Wray and  
R Finnigan

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

There were no appeals.

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

There was no exempt information.

### **79 Late Items**

There were no late items.

### **80 Declarations of Disclosable Pecuniary Interests**

There were no declarations.

### **81 Minutes - 1 April 2021**

**RESOLVED** – That the minutes of the meeting held on 1 April 2021 be confirmed as a correct record.

### **82 Application 20/06103/FU - Acanthus Golf Club, Thorpe Lane, Tingley, WF3 1SL**

The report of the Chief Planning Officer presented an application for the erection of a garden centre incorporating a restaurant, indoor soft play, outdoor play area, outdoor sales area, service area, outdoor adventure play area and associated access improvements, car parking and landscaping. Change of use of the existing golf clubhouse to adventure play centre and demolition of the existing driving range bay structure, netting and other ancillary structures at Acanthus Golf Club, Thorpe Lane, Tingley, WF3 1SL.

Site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted in relation to the application:

- There had been a consent granted in 2016 for a garden centre at the site. This consent only covered a small portion of the site and the new proposal was for a comprehensive redevelopment of the entire site.
- Although the site was in the greenbelt, it was felt that the proposals were acceptable due to the significant social, environmental and economic improvements which formed the exceptional circumstances for development in the greenbelt.
- The land had previously been used for agricultural and quarrying prior to being used as a golf course. The site was no longer used as a golf course and was currently in an unkempt condition.
- There were a number of long established industrial and commercial sites in the immediate vicinity.
- The golf clubhouse building would be retained and used for ancillary purposes.
- There would be sustainability and bio-diversity improvements to address climate change concerns.
- There would be improvements to the junction where the site is accessed and this would be of benefit to the wider area.
- Retail impact – there would be sales of a range of goods that were similar to those in the 2016 application. Retail space would be slightly less than that of the previous application. There would be conditions to the application regarding the use of the retail space.
- The proposals were an opportunity to redevelop an unsightly and unkempt piece of land. It was considered that the social, economic and environmental improvements provided the exceptional circumstances for development within the greenbelt and the application was recommended for approval.

In response to questions from the Panel, the following was discussed:

- Ward Members had been briefed and concerns were raised about traffic. These had been addressed in the report. There were no formal representations regarding the application.
- Sustainable transport – the majority of visits would be by private vehicle as most of the purchases were likely to include bulky items. It was felt that the dual purpose of the site would reduce trips elsewhere. There were no direct bus services to the site.
- There were no plans to import or remove earth from the site as part of the regrading of the land.
- The proposals would create up to 250 jobs throughout the construction and operation of the site. A similar site operated by the applicant had 220 full and part time staff. It was anticipated that the jobs would be filled by local people. A condition could be added regarding the employment of local people.
- Landscaping arrangements would minimise any visual harm to the appearance of the site.
- The transport assessment had considered the predicted distribution of traffic. It was predicted that the majority would be travelling from the

west. An assessment had been done on junctions and any additional traffic would remain within the existing capacity.

- Nearest bus stops were situated on Bradford Road approximately 700 metres away. It was acknowledged that the site was not completely accessible by public transport.
- There would be electric vehicle charging points.
- There was still ongoing work regarding the biodiversity assessment of the site. There would be a financial contribution towards off site biodiversity works should there be a shortfall at the site.

The following was raised during comments from the Panel:

- There would be benefit from the provision of jobs and re-use of the site.
- Concern that the site was in the greenbelt and the proposals could have a negative impact on climate change.
- The proposals had not been supported by local Ward Members.
- Concerns that there would not be biodiversity gains or sustainable access to the site.
- A site visit would have been beneficial. The site was an eyesore and did not provide any benefit to the greenbelt.
- On balance the application could be supported on the grounds that it would provide much needed job opportunities for people in the surrounding area.
- Concern regarding the range of goods that would be offered for sale.
- Concern that the greenbelt between Tingley and Middleton would be lost.
- Would the applicant be willing to supply a shuttle bus service for staff and customers. The applicant confirmed that they had a similar arrangement for customers at another site, but staff found public transport acceptable.

In summary it was felt that there were still issues to resolve with regards to the range of retail to be provided; the provision of local employment. Public transport access and the need to demonstrate biodiversity gain. It was proposed that the application be deferred to address these issues.

**RESOLVED** – That the application be deferred for the following:

- An additional condition regarding local employment.
- Explore with the applicant the possibility of a shuttle bus for employees/customers as at Tong site.
- Provision of better photographs illustrating poor condition of the site at present.
- Provision of CGI's of proposed development.
- Ask Applicant if prepared to offer a travel plan
- A condition that clearly describes and limits retail development, particularly those elements that go beyond goods which might normally be expected at a garden centre.
- Need to show that there is a net biodiversity gain on site.

**83 Application 20/04192/FU - Land off Amberley Road, Upper Wortley, Leeds, LS12 4BD**

The report of the Chief Planning Officer presented an application for the variation of condition 2 (approved plans) approval 17/00100/FU: To remove container units from western boundary and include double stacked container units in southern portion of the site at land off Amberley Road, Upper Wortley, Leeds, LS12 4BD.

Site plans and photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted in relation to the application:

- The application had been referred to Panel at the request of Ward Councillors.
- There was residential development to the west of the site which was situated on a higher level. Other boundaries to the site included the railway, employment sites and public open space.
- The application had been made to address concerns that had arisen through enforcement issues. Permission had been granted in 2017 for the site to be used for container storage. Enforcement issues had arisen as the hours of use that had been permitted by condition had been breached and landscaping works had not been implemented. There had also been anti-social activities carried out at the site.
- There had been applications to extend the hours of use and to remove the landscaping condition. Both applications had been refused.
- The application sought to alter the layout of the previous application and to increase the number of containers to 373. This would include an area to the southern part of the site where containers would be double stacked. There would be no containers along the western boundary and the landscaping condition as approved in the 2017 application would remain.
- Permitted hours would be the same as the 2017 permission.
- There would be further conditions to ensure the landscaping was carried out and for unauthorised containers to be removed.
- The applicant had made assurances they would carry out the necessary requirements of the conditions to the application within the next few months.

A local Ward Councillor addressed the Panel with objections to the application. These included the following:

- There had been problems with noise from the site following the previous approval in 2017.
- The applicant had attempted to get the landscaping condition reduced and increase the hours of opening.
- The applicant had breached the hours of use at the site.

- The containers were bright blue and considered to be an eyesore.
- The applicant was not likely to stick to the conditions and the application should be refused.
- There had been disturbances at the site from the use of quad bikes.
- There had not been any consultation between the applicant and residents or Ward Councillors.

The applicant's representative addressed the Panel. The following was highlighted:

- The applicant had operated from the site for four years providing an in demand self-storage business.
- The site was set out to assist customers ease of access to the storage units.
- The applicant had worked closely with planning and enforcement officers to provide a scheme that would be compatible with the surrounding area.
- Following some initial teething problems, the site had been run impeccably. The applicant was willing to do the landscaping works immediately and there was no reason to refuse the application on planning grounds.
- The applicant had been operating within the permitted hours.
- The applicant acknowledged the requirement to put the landscape buffer in place and was committed to do so.

In response to questions from Panel Members, the following was discussed:

- The applicant had been served with a breach of condition notice in relation to the hours of operation and following this they had reverted to the permitted operating hours. A further notice had been submitted regarding the condition for landscaping. This had not yet been resolved due to this pending application.
- There had been difficulties in pursuing enforcement issues over the past year due to the pandemic and this application had been made following enforcement action. This was seen as an attempt to address previous enforcement issues and further enforcement action would be taken if necessary.
- The company's hours of operations were advertised correctly on their website in line with the condition of the previous application.
- The site was currently non-compliant with the lack of landscaping and containers sited on the western boundary. The application sought to resolve this whilst intensifying the use of the site with more containers.
- Access to the containers located at the south side of the site. These would be accessed from the north and the plans could be annotated to demonstrate this.
- The container units were 2.4 metres in height so would be 4.8 metres where double stacked. This was slightly lower than a standard two storey house. The residential properties at the western boundary were all elevated from the site by 2 to 3 metres. It was felt that the impact of

the double stacked containers would be minimal due to the difference in levels and landscaping arrangements.

- There would be increased activity at the site due to the intensified use, but this was still within the same hours of operation and considered to be acceptable.
- Advice from Environmental Health stated that the movement of containers from the western boundary would remove the potential for noise disturbance for residents.

The following was raised during comments from the Panel:

- Concern regarding the planning history of the site and non-compliance of the conditions of the previous application.
- A need to carry out a full noise assessment.
- A need to see proper details of the change in levels across the site to provide more visual information.
- Expansion of the site was of concern especially with the history of non-compliance. Double stacking of containers would be visually intrusive.
- Intensification of the usage was not appropriate for the area.
- It would have been of benefit to visit the site. It was suggested that the application be deferred till this could take place. Panel Members were advised that this was unlikely until July at the earliest.

A motion was made to refuse the application on grounds of harm to visual amenity and increase in noise disturbance due to the intensified use of the site. This was seconded and voted against.

A subsequent motion was made and seconded to defer the application for a site visit.

**RESOLVED** – That the application be deferred for a site visit and the following:

- Seek clarity on how 'through containers' to south of site will be accessed
- Seek clarity on how noise assessment was made by Env Health. Can a before and after Dba rating be made or can we have clarification as to why there was no objection in view of the intensification of the site almost certainly leading to intrusive spike events of noise nuisance
- Levels and sections required through site to residential properties to assess height differences
- Seek clarity as to how parking spaces are to be allocated between employees and customers. How do customers access containers?

**84 Pre-app/20/00475 - Proposed Secondary School, Middleton Complex, Acre Road, Middleton**

The report of the Chief Planning Officer informed Members of emerging proposals for a new secondary school on land relating to Middleton High School and most recently as LCC Highways Depot. Members were asked to make comments to inform progression of the proposal.

Site plans and photographs were displayed and referred to throughout the discussion of the proposals.

The following was highlighted in relation to the proposals:

- The proposals were for a 1,050 place high school on the grounds of the former Middleton Highways Depot.
- The site would have shared access with Middleton Leisure Centre and there were good pedestrian links. There would also be an access from Acre Road.
- There was growing pressure for secondary school places in South Leeds and the current shortfall was being met by existing schools taking in bulge cohorts. This was no longer feasible and from September 2021 there would be a temporary development at the east of the site to take 420 pupils.
- The site had already been cleared of buildings and the earliest it was likely to be open was September 2022.
- Details of the proposed site layout plan including access and parking arrangements.
- The school would make use of the existing sports pitches and they would form part of the site.
- Landscaping arrangements.
- Fencing and security of the site.
- Internal layout of the site and floor plans.
- CGI images of the proposed building were displayed and Members were informed of materials to be used.

In response to Members comments and questions, the following was discussed:

- The layout of the school fits the site.
- A need to address the issue of pupils who travelled from further away.
- A need to ensure that the amount of car parking for staff was not underestimated.
- The temporary school site would be returned to its original use when the new site was opened with the re-instatement of playing fields.
- There would be community use of the facilities out of school hours.
- There would be an area where pupils could be picked up and dropped off but sustainable forms of travel would be encouraged.
- There would be locker provision and corridor widths would be generous.
- There would be a user agreement for pupils to use the adjacent leisure centre. There would also be the normal range of sports facilities within the school.

- There would be a drama studio and dance studio. There would also be specialist music facilities.
- Some concern regarding the location of the kitchen. This was at the front of the school to facilitate easy access for deliveries.
- The carbon footprint of the building would be significantly lower than traditional construction processes. Reference was made to the energy use and the design of the building to meet climate change requirements.
- The landscape scheme was still under development.
- There would be enhanced bus facilities towards the Middleton Road entrance and bus providers would be consulted regarding the proposals. It was not proposed to bring buses onto the site.
- In response to questions outlined in the report, the following was discussed:
  - Members supported the principle of a new school on the site and layout.
  - There was some concern regarding the location and design of the kitchen and the issue of plant screen obstructing views from classrooms.
  - With regards to connectivity there was disappointment that there would not be dedicated bus services and there was some concern regarding younger children who would have to walk through the leisure centre site to access the school.
  - Assurance was sought that there would be a net reduction in carbon.

**RESOLVED** – That the report and presentation be noted.

## **85 Date and Time of Next Meeting**

Thursday, 3 June at 1.30 p.m.