

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 11TH JANUARY, 2024**

**PRESENT:** Councillor H Bithell in the Chair

Councillors C Campbell, R Finnigan,  
T Smith, E Taylor, J Garvani, E Bromley,  
L Buckley, N Manaka, A Rontree and  
P Wray

### **SITE VISITS**

Councillors Campbell, Taylor, Garvani, Bithell, L Buckley, Manaka and Rontree attended the site visit earlier in the day.

It was noted that Councillor Smith made best efforts to attend the site visit, but unfortunately could not make it due to being stuck in traffic.

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

There were no appeals.

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

There were no exempt items.

#### **65 Late Items**

There were no formal late items.

#### **66 Declarations of Interests**

No interests were raised.

#### **67 Apologies for Absence**

No apologies were received.

#### **68 23/06479/FU - 13 Farfield Avenue, Farsley, Pudsey, LS28 5HD**

The report of the Chief Planning Officer presented an application for a first-floor side and rear extension at 13 Farfield Avenue, Farsley, Pudsey, LS28 5HD.

Photographs and slides were shown throughout the officer presentation, and the following information was provided:

- The application is submitted in a personal capacity, by or on behalf of Members, Directors or any other officer who carries out development management functions.

- The dwelling is not in a Conservation Area nor is it a Listed Building. There are also no tree preservation orders on or abutting the site.
- The property affords a single storey wrap around side/rear extension at present which is to be retained.
- The topographical feature is consistent among neighbouring properties and across the rear boundary are further residential dwellings.
- The property is set at a higher ground level than the adjacent property at No.11 causing the rear elevation to be higher than its frontage.
- There are no extensions on the adjoining neighbour property.
- The dwelling retains good distances to all boundaries and the proposal will create an additional 2 bedrooms. The property is set back and there is no over-looking or harmful over-dominance.
- All the proposed materials match the existing streetscape.
- The application is considered compliant in terms of planning policies.

Further to clarity regarding paragraph 23 of the submitted report, officers confirmed that the phrase ‘terracing’ is when semi-detached properties are removing the gap between the dwellings.

Upon voting, a motion was put forward to move the officer recommendation. This was moved and seconded. Therefore, it was unanimously **RESOLVED** – To grant planning permission.

**69 23/05968/S106 - Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP**

The report of the Chief Planning Officer presented an application under S106A for the modification or discharge of Planning Obligations pursuant to Section 106A of the Town and Country Planning Act 1990 to vary the existing S106 Agreement to application 18/01501/OT to remove the build to rent and PRS covenants at Former Airedale Mills, Moss Bridge Works, Town Street, Rodley, Leeds, LS13 1HP.

Photographs and slides were shown throughout the officer presentation, and the following information was provided:

- The application is referred to Panel due to the significance of the proposal to vary an existing S106. The existing S106 Agreement was completed on 01/07/2019 for planning application 18/01501/OT.
- Members were provided with some brief history of the site, as previously discussed at the Panel meeting held on Thursday, 26<sup>th</sup> October 2023.
- The proposal seeks to remove the standard restrictions within the current S106 Agreement, paragraph 2 of the First Schedule of the Deed of Variation, as the applicant is seeking flexibility to provide standard affordable housing provision of 15%, in line with the approved scheme or additional affordable housing via a scheme which would deliver 100% affordable housing.
- The applicant will continue to provide 15%, and this is considered policy compliant. Further to this, officers have suggested a clause to

the applicant in that confirmation of the level of provision will be provided.

Further to questions from Panel Members, the following was confirmed by officers:

- A clause has been suggested to the applicants, in that, confirmation be provided to the Local Planning Authority the level of affordable housing provision that will be provided; prior to commencement with the intention of proceeding with the scheme.
- There are recent reports of issues with the swing bridge and the provision of the bridge remains in the extant planning permission that has already been provided and has been signed off by engineers.
- The applicant will either provide 15% affordable housing or 100%. There will not be a 'floating' figure in-between that. Both options provide policy compliant schemes.

Further to comments from Panel Members, the following was relayed:

- The importance of ensuring any variations with the application are brought back to a Plans Panel for consideration.
- Concerns over the safety of the swing bridge and its operation, as well as the impact on the nature reserve.
- To consider including more socially rented properties in the future.

Upon voting, a motion was put forward to move the officer recommendation. This was moved and seconded and therefore it was **RESOLVED** – To grant permission.

## **70 23/03467/OT - Field off Westerton Road, Tingley, WF3 1AE**

The report of the Chief Planning Officer presented a report for an Outline Planning Application for the erection of nine dwellings, with some matters reserved except for access at Field Off Westerton Road, Tingley, WF3 1AE.

Photographs and slides were shown throughout the officer presentation, and the following information was provided:

- The development will be accessed off the new road and junction from Westerton Road (currently being constructed) serving part of the adjacent Redrow Homes development, the latter being built out pursuant to SAP allocations HG2-168 and HG2-169, under outline planning permissions references 17/08262/OT (for up to 299 dwellings) and 21/07156/RM (for 289 dwellings).
- The site is a small agricultural piece of land that forms part of a wider area of open land that sits within the built-up area of West Ardsley. The application site is within designated land under saved UDP Policy N11, which restricts uses within the land to open uses only, such as agriculture or recreation.
- The current proposal for up to 9 dwellings is an outline planning application, seeking to establish the principle of residential development in that location. It does not include its design, layout, appearance of houses etc.

- The application site was not put forward as a site for SAP allocations at the time the other parcels of land were. Only open land uses are permitted on the application site. The proposal for residential development does not come into the use of UDP Policy N11 and it is considered to impact on the openness and character of the area. Therefore, officers are putting forward a recommendation to refuse the application.
- Additional cars will also be using the access point, creating access and highway safety issues.

The applicant and representatives were invited to make representation. The following was highlighted:

- Language used refers to Greenbelt determination rather than small windfall sites.
- There is confusion regarding Policy N11, and Panel Members were asked to defer the matter.
- Officers previously advised that the application would be presented at Plans Panel with a recommendation of approval, until 13<sup>th</sup> October where the applicant was advised that they had investigated Policy N11 in greater detail and discussed with landscape and ecology colleagues and therefore the recommendation changed to refusal. Further to discussions with senior landscape and ecology officers, they also presented support for the application.
- The land will be surrounded with new and future development and there are no long-distance views to be protected because of such development.
- There is a benefit in approving a small windfall site rather than a field full of houses.

Further to a question regarding affordable housing, it was confirmed that there is no requirement to provide affordable housing on a proposal for 9 dwellings.

Further to questions to officers, the following information was confirmed:

- Officers cannot answer whether the parcel of land would have been determined as part of the SAP process in determining land. It was reiterated that the Local Planning Authority do have an allocated SAP and Core Strategy and forms part of development documents and a designation within the Local Plan.
- It is not unusual for officers to have different opinions. The original recommendation was to refuse the application, and the applicant convinced officers otherwise. Officers have since then reverted to their original decision and is recommending the application for refusal.

Further to comments from Panel Members, the following was relayed:

- The local community are already impacted by the addition of 299 dwellings and the community are not benefiting from the development and will not want any additional housing.
- There is an increased impact on local infrastructure, local schools, and health centres.

- The Panel should not deviate from existing policies and the site does not form part of the SAP. The site sits within UDP Policy N11, and it is not considered a reasonable loss of open land.
- It is 9 dwellings with 4-bedrooms, and it does not suit the housing mix.
- The proposal will create another loss of greenspace and amenity.

Upon voting, a motion was put forward to move the officer recommendation. It was moved and seconded to refuse planning permission. Therefore, it was unanimously

**RESOLVED** – To refuse planning permission.

## **71 23/01733/FU - Land Off Bradford Road East Ardsley**

The report of the Chief Planning Officer presented an application for a residential development comprising of 56 no. dwellings with associated landscaping and infrastructure at Land Off Bradford Road East Ardsley.

Photographs and slides were shown throughout the officer presentation, and the following information was provided:

- The application relates to a greenfield site that is currently allocated for a new school in the Site Allocations Plan (SAP) under SAP Ref: HG5-8 which is located in the Outer South West Housing Market Characteristic Area (HMCA).
- The application proposes a development of 56 new dwellings.
- The application is a full planning application seeking permission for all details and follows the approval of detail planning reference 17/04308 which provided consent for 299 dwellings on the adjacent land by the same applicant.
- To the south-east of the site is where the listed St. Michael's Church is visible above some of the existing houses and tree canopies.
- The application site is bound to the west by Bradford Road, with residential properties along Woodlands Drive. The Copse and Woodlands Close adjoining the sites southern boundary.
- There is a good mixture of parking to the front of properties and drives provided.
- The dwellings are arranged off a single spine road with a small cul-de-sac at the mid-point and terminating in short private drives towards the eastern end.
- The area to the front of the application site is public open land.
- The development does not over-dominate neighbouring sites.
- Officers provided an overview of the different house-types to be provided on-site as well as confirmation that there is a single bungalow proposed.

Councillor Foster attended the Panel meeting and provided the following information:

- The council originally considered the site for a new school, and this highlights a geographical importance for East Ardsley.

- There has been no effort to establish a community space in East Ardsley for its residents.
- Most people must use their car to get places and there is already a failing public transport system.
- It is believed that there is a drive to install high value properties rather than closing the gap of deprivation and providing affordable housing.
- The application site has education land uses until 2028 and there is a legal obligation to allow an application to come forth for that need.
- The land has significance importance to the community, and it is an ideal school location.

The applicant informed the Panel, providing the following information:

- Paragraph 72 of the submitted report should read 'Flood Zone 1' and not '2'.
- Paragraph 52 should read '21 2-beds 37.5%' which would mean this sits above the relevant policy in terms of housing mix.
- A CIL contribution of 321k is considered reasonable and will be provided.
- Birth rates for 2022 have been looked at, and they are falling and continue to fall. Therefore, it is considered that education land is not required.
- The remitted SAP meant that there are allocations not going ahead, and there are 1,137 dwellings less than the SAP originally expected.
- The site is not suitable for alternative uses such as retail and employment.
- It is considered that it would be a missed opportunity for Barratt Homes if they do not move onto this piece of land. There is an existing workforce on-site and it is a natural progression for the applicant.
- There are several benefits in terms of the CIL contribution bettering local community facilities, and the provision of affordable housing.

Further to questions to officers, the following was confirmed:

- There will be a single point of access for 355 dwellings. There is not a figure on the limit for a single point of access. The junction has been assessed and it is considered that it has met the transport capacity assessment and there is spare capacity at the junction.
- It is reported that over a 5-year period, births across Ardsley have dropped 22%. The existing schools in the area have capacity to take on new children as a result of the development.
- If the application site was used for a school, this would currently impact on other primary schools in the local area, and it would not be financially viable.
- Other members raised concern regarding the possible demographic implications in the future and were concerned regarding a changing demographic.
- The layout of the application site is considered 'uninspiring' and there are very few trees proposed in the open greenspace. It is believed that there is a missed opportunity in terms of the layout.

- The community has already accepted 299 dwellings and the proposals are in addition to that figure.

At this point in the meeting, a motion was put forward to defer and delegate approval to the Chief Planning Officer subject to officers having conversations with the applicant regarding design and layout. Officers requested that additional information on specific requests are relayed to officers to be able to undertake discussions with the applicant.

Prior to a vote being taken on the motion above, further comments were made by Panel Members on the following:

- Members requested that an alternative layout is provided to better utilise the greenspace and to provide additional tree planting / options for community use such as a 'community orchid'.
- Members commented on the single access and explained it would be better if there were 2 points of access. Officers confirmed that advice has already been received from the Highways department and this has been assessed.
- Figures for EN1 to understand how the applicant will meet their obligation to meet renewable targets.

An amended motion was made, to include specific details regarding landscaping and the segregation of pedestrian and vehicular movement and to minimise vehicles parking on grass verges. It was also requested that the Chairs approval is gained on the final proposal before permission being granted.

Upon voting on the amended motion for the reasons as set out above, it was subsequently moved and seconded and therefore it was **RESOLVED** – To defer and delegate approval to the Chief Planning Officer for approval subject to gaining the Chairs approval, as well as the addition of:

- Reference to Departure added to recommendation.
- Case officer to negotiate improved planting including trees to greenspace to improve appearance and biodiversity.
- Case officer to negotiate measures to be added to layout to separate pedestrian and vehicular movement and to minimise vehicles parking on verges.

## 72 Date and time of the next meeting

**RESOLVED** – To note the date and time of the next meeting as Thursday, 8<sup>th</sup> February 2024 at 1.30pm.

(The meeting ended at 15:15).