

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 27TH AUGUST, 2020**

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

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

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

There were no appeals.

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

There were no exempt items.

### **21 Late Items**

There were no late items.

### **22 Declarations of Disclosable Pecuniary Interests**

There were no declarations.

### **23 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor J Shemilt.  
Councillor R Stephenson was in attendance as substitute.

### **24 Minutes - 23 July 2020**

**RESOLVED** – That the minutes of the meeting held on 23 July 2020 be confirmed as a correct record.

### **25 Matters arising from the Minutes**

There were no matters arising.

### **26 Application 20/00903/OT - Land to the rear of Owlcotes Road, Pudsey.**

The report of the Chief Planning Officer presented an outline application for a residential development with access at land to the rear of Owlcotes Lane, Pudsey.

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

Minutes approved at the meeting  
held on Thursday, 29th October, 2020

Further issues highlighted in relation to the application included the following:

- The application was brought to the Panel at the request of a local Ward Councillor.
- To the North of the site was a green area and the ring road. Other borders were residential developments.
- The site was close to the cycle network and canal towpath leading to Leeds and Bradford.
- There were 6 bus stops within 400 yards of the site and 1.6 kilometres to New Pudsey train station.
- The site was allocated for housing within the Site Allocation Plan. Whilst it would have been preferable to develop the wider site, these proposals would not impede potential future development.
- Access to the reservoir would remain.
- The site fell within the regeneration priority area and would meet policy requirements for housing mix, affordable housing, design and energy provision.
- The site was not within the greenbelt prior to the adoption of the Site Allocation Plan.
- There would be a single point of entry to the site from Owlcotes Road. There would be a requirement for a financial contribution to support junction improvements at Dawson's Corner.
- Drainage – there would be on site attenuation tanks and would discharge to existing sewers. Yorkshire Water had been consulted and accepted the proposals. There would need to be a full drainage plan prior to commencement.
- Existing trees to the boundaries of the site would be retained. The site could accommodate more landscaping and tree planting.
- The allocation for housing was considered appropriate at the site and the application was recommended for approval subject to conditions and a satisfactory legal agreement.

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

- The report was incorrect with regard to road traffic accidents on Owlcotes Road.
- Ward Councillors had previously opposed the inclusion of this site for housing.
- Climate change – the Council's declaration was after this site had been allocated for housing and the Climate Change Emergency had not been considered in relation to this site.
- There would be an impact on the amenity of neighbouring residents.
- The development of this site would be a major loss of a greenfield site.
- In response to questions, the following was discussed:
  - Any development of the site was opposed. Any numbers of new housing would be over intensive and damaging to the amenity of existing residents.

- Local GP surgeries were full to capacity.
- Local schools were full.
- There had not been any consultation regarding the land contamination study.
- The developer had consulted local residents regarding the proposals.
- All the housing development from Owlcotes Road northwards drained into various becks which ultimately lead to Rodley. The Council had lobbied for funding for a 1 in 200 year flooding event alleviation scheme. This was only offering a 1 in 100 year scheme. This is not sufficient.
- Ward Councillors objected to the inclusion of this site in the Site Allocation Plan.
- Ward Councillors from Calverley & Farsley and Pudsey had been in discussions with surgeries in the area with regards to GP capacity in the area.
- It was not felt that proper ecological surveys including a bat survey had been done.
- There would be problems with traffic at peak times
- The three nearest schools were thought to be full to capacity and two had been recently extended. It was not felt there was further capacity to extend.
- Traffic surveys did not reflect that there had been accidents or that vehicles travelled at dangerous speeds. There would be problems at school times and during rush hour traffic.

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

- The applicant was for approval and the applicant supported the officer recommendation.
- The challenge to the SAP by the Neighbourhood Forum – the site was not greenbelt and was not affected by the recent judgement.
- Any delays to this site may impede the Council's ability to meet housing targets.
- There was an urgency to develop sites to aid recovery following the recent pandemic.
- The Council's Climate emergency was declared before the allocation of the site for housing.
- The development would be policy compliant and there had been no representations from statutory consultees.
- There would be Section 106 contributions including affordable housing and significant financial contributions to junction improvements and the travel plan.
- In response to questions, the following was discussed:
  - The transport assessment had been scrutinised by the case officer and highways.
  - Climate change measures would be detailed at the reserved matters stage of the application.

- Drainage – a drainage strategy had been prepared which also considered the flood risk assessment and there would be conditions under any approval.

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

- Traffic figures quoted in the report referred to peak hour times.
- It was assumed that there would be an approximate 50/50 split with traffic turning left or right from the site. Sightlines on exiting from the site would be satisfactory and would be in excess of what was needed based on the measured speed of traffic.
- The most recent survey was conducted after traffic calming measures had been introduced. There was a recorded accident near Owlcotes Terrace to the east of the site.
- Landscaping was not to be considered part of this application.
- Responsibility for fence lines would be a civil matter.
- Conditions would be required with regards to landscaping at a later stage. An informative could be added to ensure that this considered at the reserved matters stage.
- Community Infrastructure Levy payment towards school provision. It was not known how much would be available for school provision.
- The drainage objection had been reviewed and the details were that the scheme would be for a 1 in a 100 year flooding event plus 40%. This would meet policy requirements.
- There had been consultation with the Education Authority regarding school capacity.
- Sight line specifications on the junction leaving the site were adequate for cyclists.
- There had not been any objections from statutory bodies in relation to the drainage proposals. The condition recommended by drainage included covering events that were in excess of the policy requirements.
- Concerns regarding infrastructure for school and health provision would be met.
- Concern for safety of traffic and cyclists exiting the site.
- Concerns that plans for responding to climate change were not clear.
- The need for clarity with regard to boundaries with existing properties.
- Concern requiring drainage requirements.
- There would be opportunity to address concerns at a later stage of the planning process.
- Weight had to be given to the allocation of the site within the Site Allocation Plan.
- The site had been described as one of the best and most sustainable in Leeds. Informatives would be added to address concerns raised by Members.

A motion was made to defer the application for one cycle to gather further information on drainage, school provision and local infrastructure. This was seconded and subsequently voted on. The motion was voted against.

A subsequent motion was made to approve the officer recommendation and conditions outlined in the report. It was:

**RESOLVED** – That the application be deferred to the Chief Planning Officer for approval subject to the specified conditions outlined in the report (and any others which he may consider appropriate) and also the completion of a Section 106 agreement.

The S106 agreement to include the following:

- Provision of 15% affordable housing;
- Travel Plan Fund of £550 per dwelling to encourage the use of sustainable travel modes by the future occupiers of the development;
- Travel Plan monitoring fee of £3,090;
- Contribution of £96,000 towards Highway improvements at Outer Ring Road junction with the A647 (Dawson's Corner);
- Local Employment Initiatives

In the event the S106 agreement has not been completed within three months of the Panel resolution to grant planning permission, the final determination of the application shall be delegated to the Chief Planning Officer

*(Councillors S Hamilton and D Ragan joined the meeting and Councillor C Campbell left the meeting during the discussion of this application)*

## **27 Application 20/01735/FU – 68 Billingbalk Drive, Leeds, LS13 4RX**

The report of the Chief Planning Officer presented an application for the change of use from C3 dwelling house to C2 residential institution at 68 Billingbalk Drive, Leeds.

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

Further issues highlighted in relation to the application included the following:

- The proposal was for the change of use to a small children's home.
- The property fell within an established residential area close to local facilities and services.
- The property was a two storey detached house with private drive access. There had been extensions to the side. There was substantial garden space and the property was surrounded by other residential properties.
- It was proposed that there would be three staff, two of whom would be resident and two children at the property at any one time.

- The only proposed amendment was internal to the garage to provide accommodation.
- It would be aimed for children aged between 8 and 18 years old.
- It was intended to condition the maximum number of children resident to three.
- There had been an objection from Children's Services due to the number of other children's homes in the area.
- There were other objections due to concerns regarding the safety of children at the site and potential for noise and disturbance.
- It was considered that the application was policy compliant and it was recommended for approval.

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

- Local residents had not been made aware of the proposals.
- There was a possibility of anti-social behaviour and noise disturbance.
- The house is being designed for older children, not 8 year olds.
- Other residents were concerned that disturbance may lead to loss of sleep and have a negative impact on the value of their houses.
- There were better suited places for a children's home.
- If the application was approved it would be felt that the Council had failed local residents.

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

- The home would be for the use of up to 3 children.
- The applicant had provided specialist care for over 15 years.
- This property would create the perfect environment for children.
- This is not a new home but would replace one that was currently in operation in Wortley.
- All necessary risk assessments and safeguarding protocols had been carried out and considered.
- The property had substantial borders and planting to maintain privacy.
- There was ample off street parking.
- The lease on the existing home runs out in September and temporary accommodation would have to be sought which would provide a break in Children's care and also put extra pressure on Council resources.
- Some of the objections were from residents who did not live nearby.
- Planning Officers felt that the application was policy compliant and the Panel was asked to support the recommendation for approval.
- In response to questions, the following was discussed:
  - As part of the risk assessment, nearby children's homes had to be identified. These offered a different kind of care to what the applicant was offering.
  - The applicant intended to purchase the property.

- Although it was a six bedroom property, it was limited to three children as two bedrooms would be reserved for staff and the other to be used for ancillary purposes.
- Letters had been sent to immediate neighbours with regard to the proposals and these gave the applicant's contact details.

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

- There was sufficient parking at the property and there should not be any overspill parking.
- It was clear that there was no planning provision to refuse this application.
- Whether it was necessary to condition the application to limit the number of children to three. This could be covered by other regulations.
- Members broadly agreed that the proposals were suitable for the location.
- There had not been any evidence with anti-social behaviour with other children's homes in the local area.
- Members felt that it was appropriate to make a decision on the application without further input from Children's Services.
- The Children's Services representation was made as it was preferable to spread children's homes more evenly across the district.
- The number of staff and residents had been restricted to try and keep the use of the house similar to that of a typical family home.

A motion was made to approve the officer recommendation subject to the removal of the following conditions:

- Restrictions on numbers of residents that reside at the site at any one time to three.
- Restrictions on number of resident staff on site at any one time to three.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report. Conditions 3 and 4 to be removed.

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

Thursday, 17 September 2020 at 1.30 p.m.

*(Subsequent to the meeting, the meeting scheduled for Thursday, 17 September was cancelled. The next scheduled meeting to be held on Thursday, 29 October 2020 at 1.30 p.m.)*