

NORTH AND EAST PLANS PANEL

THURSDAY, 18TH MARCH, 2021

PRESENT: Councillor K Ritchie in the Chair

Councillors D Collins, D Jenkins, E Nash,
N Sharpe, M Midgley, T Smith, B Anderson
and G Almass

CHAIRS OPENING COMMENTS

The Chair welcomed everyone to the remote meeting of the North and East Plans Panel.

The Chair explained that internet connectivity may be an issue for some participants and suggested it may be appropriate to appoint a Deputy Chair who could assume the Chair should the Chair lose connectivity.

The Chair proposed that Councillor Elizabeth Nash be nominated as the Deputy Chair, the proposal was seconded, upon being put to the vote the motion was passed.

66 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

67 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

68 Late Items

There were no late items.

69 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests. However, the following declarations of other interests were noted:

20/05669/RM – Application for reserved matters approval (appearance, landscaping, layout, and scale) for 163 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Mickelfield, Leeds. Cllr Trish Smith declared that her son was a Co-Director of Avant Homes, but with no involvement in this region. Further, she had not discussed this application with him and came to the meeting with an open mind.

Also in relation to the above mentioned application Cllr Midgley informed the meeting that she was one of the local ward councillors for Kippax and Methley. Her ward colleagues were representing the residents, so she was looking at this application with an open mind.

70 Apologies for Absence

Draft minutes to be approved at the meeting
to be held on Thursday, 15th April, 2021

There were no apologies for absence.

71 Minutes - 18th February 2021

RESOLVED – That the minutes of the meeting held on 18th February 2021, be approved as a correct record with the following amendment to include:

Minute 63 - 20/03519/FU and 20/03520/LI - Demolition of the Nave and Aisles of the church, replaced with a six story extension; the Chancel, Transept and Altar areas will be retained and restored to contain 62 no. apartments. The Presbytery will also be demolished and replaced with a 5 storey apartment block of 113 no. apartments (total residential development comprising of 175 units); Other works including new access, proposed EVCP parking, cycle storage and landscaping works at Mount St Marys Church, Church Road, Richmond Hill, Leeds, LS9 8LA.

Members raised concerns about whether any potential wind tunnel effect would arise due to the fact that the proposed apartment block would be five storeys high and set on a hill. It was felt some clarity was required on this issue in light of the minutes for the meeting held on 18th February 2021. Members asked if a wind survey had been undertaken, but were advised that the height of the apartment block as proposed is not such that it is deemed to be a 'tall building' under Council policy or supplementary planning guidance. As such, this specific site did not hit the triggers for a wind survey to be undertaken.

72 Matters arising

In relation to Minute 63 - 20/03519/FU and 20/03520/LI - Demolition of the Nave and Aisles of the church, replaced with a six story extension; the Chancel, Transept and Altar areas will be retained and restored to contain 62 no. apartments. The Presbytery will also be demolished and replaced with a 5 storey apartment block of 113 no. apartments (total residential development comprising of 175 units); Other works including new access, proposed EVCP parking, cycle storage and landscaping works at Mount St Marys Church, Church Road, Richmond Hill, Leeds, LS9 8LA.

Members requested feedback in relation to the maintenance of the public rights of way steps and clarification on ownership of the wall between the development site and properties on Richmond Hill Close.

Members were advised that they would be emailed with the progress on both these issues.

73 20/05669/RM – Application for reserved matters approval (appearance, landscaping, layout, and scale) for 163 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Micklefield, Leeds.

The report of the Chief Planning Officer set out an application for reserved matters approval (appearance, landscaping, layout, and scale) for 163 dwellings pursuant to planning permission 15/05484/OT at Land off Church Lane, Micklefield Leeds

Members were advised that the presentation for all the items was slightly different to that in their agenda pack. It had been noted that the quality of the slides was not good and additional slides had also been added.

Members were advised of the following updates:

- Clarification on Condition 2 was needed to secure both landscaping details and also the long term maintenance;
- Another Condition was suggested in relation to access control measures to the public rights of way with details to be agreed with Public Rights of Way officers;
- Additional comments had been received from the Parish Council in relation to the 1.5 metre wide footpath to the Southern public right of way. It was noted that this should be 2 metres in accordance with the section 106 agreement, this had now been addressed;
- The Parish Council welcomed the opportunity for consultation on proposals for planting on the Southern boundary;
- The Parish Council accepted that a number of their concerns had been dealt with in the revised plans. However, there were still issues in relation to density, materials and the quantity and quality of the new play facility;
- 3 additional comments had been received, 2 were from residents who had previously commented. Their concerns related to the attenuation basin and whether it would be safe and how it would look, the relationship between the new houses and the bungalow, and proposed pedestrian link on Church Lane;
- New comments had been received in relation to hedgehogs in the area which regularly visit residents' gardens. They raised concerns about the boundary treatments and that appropriate holes should be provided for the hedgehogs to gain access. It was noted that this would be picked up as part of Condition 11 and had been referenced in the submitted report;
- It was noted there was a proposal for 2 additional pedestrian access links to the East and North of the site. These would be formalised.

Members were informed of the following points:

- This site proposed 163 units which had been reduced from 172 units;
- The applicant had agreed to move some garden boundaries further into the site so that existing track could be made wider to retain access;
- Proposal for two Public Open Spaces, one would have play equipment on it, with the other having a dual use as an open area and for use as part of the drainage system;
- Condition 2 proposed buffer planting along the boundary;
- Proposed play equipment was for a log cabin and trim trail to be picked up as part of Condition 11;
- The proposal for drainage would include underground tanks, with a basin used for severe flooding issues. It was noted that the total depth would be 1.3 metres with the bankings to the side being 1:3, which

Members were advised is similar to the Allerton Bywater Millennium Village;

- The materials for the site still to be finalised. Concerns have been taken into account and it is proposed that the dwellings fronting on to Church Lane would be of red brick. It is proposed that dwellings with chimneys would be sporadically placed throughout the site.

The local Ward Member was in attendance and informed the Panel of the following points:

- This site had first been allocated in 1990 as part of the Site Allocation Plan, such that the principle of housing development taking place on the site was now to be accepted and that permission had already been granted.
- He recognised the revisions which had taken place, but still had objections on the basis of density. Originally this site had been set out for 150 units, but with the current revisions proposed it would not sit comfortably within its surroundings and that this site was not in keeping with the area of Micklefield.
- The materials proposed did not include any natural stone which is a feature of the Village. The public open space was welcomed as there was a need for this in the area, however, he did have concerns in relation to one of the spaces being used for drainage attenuation.
- It was not felt that the attenuation basin would only be filled (and so not available for use as greenspace) on such an occasional basis as had been suggested, especially given issues of flooding in recent years.
- He was unable to comment on the proposed play equipment as he had only received the email in relation to this on Tuesday, and had not had enough time to consult with residents.

Responding to questions from Members, the Ward Member provided the following information:

- He was of the view that residents had not been given adequate time to consider the proposed play equipment.
- He had concerns in relation to the dual use of one of the open spaces and how often this area would be usable. There was a need for green spaces in this area for children to play, but this was unlikely to provide a flat or suitable area to be easily used for play and it could regularly actually need to function as an attenuation basin – so would be unsuitable for play or use as open space at this time.
- The roads within the estate need to be wide enough for 2 way traffic.
- Accepted that there had been significant changes made to the proposal and some concerns had been alleviated. However, concerns still remained regarding the density, functionality of the access-way, materials proposed to be used, and whether the development proposed would sensitively respond to its surroundings.

Mr Jonathan Dunbavin – the agent for Avant Homes – was in attendance at the meeting and advised the Panel of the following points:

- The applicant had engaged with residents, local councillors and the Parish Council at all stages since the application had been submitted, also including having reached out to the local Ward Member to address some of his concerns.
- The proposed density had been reduced from 172 units to 163 units. The application was to provide 32 dwellings per hectare, which was not excessive and was policy compliant.
- The density proposed for sites in the SAP is indicative only, such that it based on a simple calculation and multiplier of the site area. It is only when a detailed layout is developed that an exact figure can be reached. As noted, the 32 dwellings per hectare figure achieved here was in accordance with Policy H3 of the Core Strategy.
- Church Lane dwellings would be in red brick, which is actually predominant in the area, but with buff coloured bricks used as well throughout the site as a nod to the limestone magnesium properties which are found in the historic core of Micklefield;
- The attenuation system would be rarely used with the green space being available to use 99.9% of the time.
- The application was policy compliant with the number of affordable houses and in accordance with space standards.

In response to questions from Members, Mr Dunbavin informed the Panel of the following points:

- The greenspace area which has dual purpose needs to be located at the lowest part of the site to aid water drainage;
- The location of all the greenspaces to be provided across the site will ensure all residents have greenspace in close proximity to their dwellings and the orientation proposed is felt to be appropriate.
- The chimneys have been placed on dwellings in key locations throughout the site and are felt to add to variety in the overall streetscene. Chimneys are not prevalent in all of Micklefield;
- The play equipment proposed is based on designs that are implemented at sites throughout the UK. It is sustainable, durable and safe.
- The affordable houses are the 1, 2, and 3 bedroom properties as this had been requested to meet local need. It was noted that the applicant had been working with the proposed registered provider (Yorkshire Housing) and they had given a clear steer in this regard.
- A detailed ecological survey had been completed, which identified that the site was relatively 'neutral' in terms of biodiversity – due to it being used as agricultural land. However, the applicant would be happy to address the concerns of Parish Council in relation to wildlife habitat and could provide a Biodiversity Enhancement Plan if this was necessary.
- A flood risk assessment has been completed. This would be a dry basin which would only hold water for a limited period during periods of heavy rainfall. This was typical of a sustainable site and creates the much needed open space. It was noted that drainage would be better

than that of many football pitches which have no drainage and so can often be unplayable;

- The rooms and overall size of the properties was fully compliant with current space standards, both in terms of national requirements and the Council's own policy.

Officers responding to questions from Members provided the following information:

- It was noted that the recreation area close to the site was used by the school but were unsure if they had exclusive use of the area. It was noted that the area was gated. The Ward Member informed the Panel that the school was due to become an academy and this could change the use of the recreation area;
- There is no Neighbourhood Plan for Micklefield;
- Updates on the proposed revisions had been provided to Ward Members in February, however there had been more recent updates provided to Members, including relating to the proposed play equipment;
- Ward Members had also been informed of the proposed revisions at this time, but had not refreshed or revised any of their previous comments on the application proposals;
- While the additional detail regarding the play equipment had relatively recently been received, it would in any event be controlled by way of condition – this would form part of Condition 11. This could give the opportunity for Ward Members, the Parish Council and local residents to be involved in further discussions as part of the condition discharge process.
- The finer elements of the drainage system are still to be looked at via conditions on the outline permission which could consider permeable paving, and water butts for each property but the general strategy to use a combination of underground tanks and an attenuation basic was considered acceptable.

Members' discussions included the number of properties put forward in relation to the Site Allocation Plan. Planning officers confirmed that proposed housing numbers in the Site Allocation Plan are indicative. Officers provided further information on numbers put forward and calculations / metrics involved when determining housing numbers as part of the Site Allocation Plan, but confirmed that a slightly higher density had been provisionally suggested was formally proposed.. The number of units proposed per hectare as part of this development is policy compliant.

RESOLVED – To defer for further discussion on the density of the site, proposed housing numbers, and spatial setting of proposed dwellings.

74 20/07883/FU- Change of Use from dwelling to 5 bed House in Multiple Occupation (C4) at 41 Spencer Place, Chapeltown, Leeds, LS7 4DQ

The report of the Chief Planning Officer set out an application for the change of use from a dwelling to a 5 bed House in Multiple Occupation (HMO) (C4) at 41 Spencer Place, Chapeltown, Leeds, LS7 4DQ.

Members were advised of a correction to Paragraph 20 which should read 'This is an emerging SPD, which has been published for initial consultation between 18 January and 1 March 2021', not 2020.

Members were informed of the following points:

- This application was brought to Plans Panel at the request of local Ward Councillors who had sent in a representation. The Ward Councillors were concerned that the area features high levels of HMO's, which are putting pressure on local infrastructure including on street parking. The Ward Councillors were of the view that this site should remain as a family home. The Councillors also highlighted that this area of Leeds benefits from an Article 4 Direction;
- Members were reminded that the effect of an Article 4 Direction is not that it prevents a property ever being used as an HMO rather than a dwelling house, but simply that it dis-applies an automatic permitted development right for such a change of use. Hence, why an application needed to be made and the matter was one that could come before Panel for determination.
- The property is an end Victorian terrace. There is no off street parking with residents parking on the street. Highways had made no objections to the HMO as they were of the view that this would make no difference to parking in the area;
- This application meets space standards and in some cases exceeds them. It was noted that as part of the recommendations a condition in relation to space standards had been included that space standards must be retained;
- The property has a dormer extension which would form part of the HMO.

Local Ward Councillors had raised concerns about the high concentration of HMO's in the area. Members were shown a map of the area which set out the spread of HMO's in this area.

There were no speakers for, or against, this application.

In response to questions from Members, officers provided the following information:

- The basement flat would remain independent from the HMO, this application was for the ground floor upwards only;
- Although the property benefits from a large front garden, this had not been considered for use of parking, as Highways were of the opinion that there would be no impact to on street parking. In addition, there would be the risk that use of the front garden for off-street parking

could in turn adversely impact on the streetscene and subsequent amenity of the property

- It was noted that all the bedrooms would have use of a bathroom most did have en-suite, although one bedroom had a separate bathroom for exclusive use.

Members' discussions included:

- Shortage of family homes in the City;
- Insufficient parking;
- Bedroom sizes and living standards in general within HMOs;
- Recognition that young people wished to live independently away from family and HMO's were a way of doing this;
- Appeal outcomes for applications on HMO's.

Planning Officers provided information on outcomes of appeals from 2014 to September 2020. Members' attention was drawn to Paragraph 37 of the submitted report which provided numbers in relation to HMO's in the area.

RESOLVED – To grant planning permission subject to the conditions set out in the report.

75 20/07613/FU– Single storey front extension and single storey rear extension with patio area at 141 Alwoodley Lane, Alwoodley, Leeds, LS17 7PG

The report of the Chief Planning Officer presented an application for a single storey front extension and single storey rear extension with patio area at 141 Alwoodley Lane, Alwoodley, Leeds, LS17 7PG.

Members were advised of the following points:

- This application was brought to Plans Panel at the request of Cllr Buckley who raised concerns that the proposal was an overdevelopment of the site, that it was not in keeping with the street-scene and that there would be a potential loss of vegetation;
- The front extension would infill a gap between two front projecting gables. The extension would be a flat roof structure that would project out a maximum of 2.8m from the front elevation of the dwelling. The proposed single storey rear extension would be a flat roof structure that would have a maximum depth of 5.3m. The side elevations of the extension, which run parallel to the common boundaries with the dwellings on either side of the site, will measure approximately 4.4m in depth. The extension was shown to be sited approximately 3m from the common boundary with No.139 Alwoodley Lane and 2m from the common boundary with No. 165 Alwoodley Lane;
- Letters of objection had been received from the occupants of the dwellings on either side of the site, the concerns raised were set out at Paragraph 15 of the submitted report;
- It was noted that the occupants of No. 165 Alwoodley Lane were unable to attend the Plans Panel. They had significant concerns with regards to the impact of the development on the vegetation located

along the common boundary between the properties. The submitted plans indicated that it was proposed to retain the most substantial trees located along this common boundary. This included a number of Leyland Cypress trees.

No speakers in objection to the application were in attendance at the meeting. Mr Matthew Shepherd and Mr Stuart Newby, on behalf of the applicant, were in attendance at the meeting to answer questions from Members, if necessary.

Members' discussions included:

- Relevance of the quoted paragraphs from the Neighbourhood Plan and appropriate level of weight that should be attributed to these;
- The size of the plot and size of the proposed extension;
- Impact on the neighbouring properties including the boundary vegetation. Members were of the view that the boundary vegetation should be protected during construction;
- Consideration of the tree report which had been submitted. Concerns were raised in the retention of the Leyland Cypress trees, as it was noted these can become over dominant if not well maintained;
- Character and street scene of the area.

RESOLVED – To grant planning permission subject to the conditions set out in the submitted report.

76 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel to be held on Thursday 15th April 2021, at 1:30pm.

The meeting concluded at 16:15