

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 9TH JUNE, 2022**

**PRESENT:** Councillor in the Chair

Councillors B Anderson, S Hamilton,  
D Ragan, R Finnigan, T Smith, J Bowden,  
J Garvani, J Heselwood and N Walshaw

### **1 Election of Chair**

In the absence of Councillor E Taylor, a nomination was sought for a Chair for the meeting.

A nomination was submitted and seconded on behalf of Councillor N Walshaw. Following a vote of all Members present, it was:

**RESOLVED** – That Councillor N Walshaw be elected as Chair for the meeting.

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

There were no appeals.

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

There was no exempt information.

### **4 Late Items**

There were no late items.

### **5 Declarations of Interests**

Councillor Anderson informed the Panel that he had been involved in discussions with the applicant in regard to Agenda Item 9, Crag House Farm, Cookridge Lane, Cookridge and would be withdrawing from the meeting during the discussion and voting on the application.

Councillor Walshaw informed the Panel that he had referred Agenda Item 10, Headingley Community Centre, North Lane, Headingley on behalf of Headingley Ward Members and would be withdrawing from the meeting during the discussion and voting on the application.

### **6 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors C Campbell and E Taylor.

## 7 Minutes - Thursday, 14th April 2022

**RESOLVED** – That the minutes of the meeting held on 14 April 2022 be confirmed as a correct record.

## 8 21/05782/FU - Carr Farm Cottage, 74 Carr Road, Calverley, Pudsey, LS28 5QR

The report of the Chief Planning Officer presented an application for the change of use of lad (Paddock and Woodland) to outdoor pet recreation and exercise facility; erection of fencing at Annexe, Carr Farm Cottage, 74 Carr Road, Calverley, Pudsey, LS28 5QR.

The application had been considered by the Panel at the meeting in February 2022 when the application had been deferred for further consideration. Members had visited the site prior to that meeting. Site plans and photographs were displayed and referred to throughout the discussion of the application.

Further issues highlighted included the following:

- The proposals were for an exercise area for dogs.
- The site was in a semi-rural area but adjacent to residential properties.
- It had been reported at the previous meeting that there was no recognised methodology for measuring the noise caused by dogs. Members had expressed concern regarding the impact on neighbours.
- The applicant had proposed to have the following conditions:
  - Limiting the number of dogs on site
  - A reduction in the proposed hours of use.
  - Acoustic fencing along the boundary to 28 Clara Drive.
  - No external lighting.
  - Provision of an all-weather parking space.
- The applicant was not prepared to remove the woodland area from the application site.
- The noise impact report submitted by objectors at the previous meeting had not been assessed by Environmental Health at the time. Since the last meeting, Environmental Health had been consulted. Although there was no recognised methodology to measure noise from dogs, there was agreement with the conclusions outlined in the report.
- Environmental Health had visited the site and had reported that there would be damage to resident's amenity, and it was recommended that the application should be refused.
- A further objection had been made regarding development within the greenbelt. It was not considered that the proposals would cause harm to the greenbelt and the application would not be refused on these grounds.

The applicant addressed the Panel. The following was highlighted:

- There was disappointment at the recommendation to refuse the application. The noise report was not independent and based on speculation and guesswork. It did not take account of the hedges and trees which would baffle the sounds and did not mention the addition of acoustic fencing.
- The Environmental Health report did not consider the extra mitigation measures and was inaccurate with regard to comments regarding unsupervised dogs.
- The number of dogs stated was a maximum number. This kind of facility would usually be used by one dog owner at a time with only one or two dogs. The field would be rented by the hour and there was no benefit in having large groups.
- The proposals would see the use of a neglected piece of land whilst providing a service that was badly needed in the area.
- It had been hoped to work closely with neighbours but this had not been possible due to the level of objections.
- In response to a question, it was confirmed that there would not be any dogs staying overnight.

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

- A comprehensive noise impact assessment was carried out following the meeting in February. Measurements had been taken at different distance from the nearest residential property and noise levels breached guidelines.
- Environmental Health had confirmed that noise pollution from the site could not be mitigated.
- There were only four letters of support for the application from Calverley residents but fifty-five objections.
- An alternative site could be used which would not breach planning guidance and disturb residents.
- It was requested that the application be refused in line with the officer recommendation.
- In response to questions from the Panel, the following was discussed:
  - The noise measurements were made by an independent contractor using replicated noises that a dog would make.

It was suggested that an amendment to the recommendation could be made to give approval for a period of 12 months to allow noise from the facility to be monitored. A motion was made to reflect this amendment and a motion was also made to approve the officer recommendation.

Following a vote on the amended recommendation, it was:

**RESOLVED** – That approval be granted for a period of 12 months to allow monitoring of any possible nuisance from dogs.

It was requested that a report be brought to either Joint Plans Panel or Development Panel as an outcome of this application to enable Members to have a better understanding of the issues raised with this application. It was reported that there were difficulties with this application initially as there was no response from Environmental Health. Specialist guidance would normally have been made available.

**9 21/07156/RM - Nook Farm, Haigh Moor Road, Tingley, Wakefield, WF3 1EF**

The report of the Chief Planning Officer presented a reserved matters application for the erection of 289 dwellings with access within the site, garaging, parking, landscaping and open space.

The application had been considered at the April meeting of South and West Plans Panel when it had been deferred for the following reasons:

- Consider the provision of four- and five-bedroom houses for affordable housing.
- Consider the provision of bungalows.
- Further information on trees including a full tree survey to include the quality of trees and detail regarding carbon capture.
- Further information on compliance with street design guidance.
- More detail on placemaking.
- More clarity on cycle segregation and the footpath network.
- Invite a policy officer to discuss policy H4 and the housing mix.
- Further consultation with Ward Councillors.

Members of the Panel had visited the site prior to the meeting in April 2022. 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:

- There would be four bungalows provided in the revised layout.
- Further information was provided in relation to landscaping including the submission of an arboriculture report; placemaking; and energy use and sustainability including plans for electric vehicle charging.
- The period for consultation was not due to expire until 10 June 2022 and the wording of the recommendation was to be amended subject to the expiration of this period.
- There had been no new material considerations highlighted in representations that had been submitted since the last meeting.
- Contact had been made with Ward Councillors from Ardsley & Robin Hood and Morley South and further objections had been received but did not raise any further material considerations.
- There had been a request from West Ardsley Action Group and local residents to be allowed to speak at Panel. There were no new material considerations and speakers had been allowed at the outline

application stage and previous consideration of the reserved matters application.

- The housing mix including the bungalows and offer of affordable housing was considered to be acceptable for the area. This was fully compliant with policies H4 and H5.
- Significant detail had been submitted with regard to the landscaping and impact on trees. This included the need to remove unhealthy trees. Overall it was considered that the landscaping plan brought significant benefit to the ecology and bio-diversity of the site.
- Further to concerns to the proposed removal of three trees towards the entrance from Upper Green Avenue, it was reported that one of these trees would be retained.
- There would be maintenance to the ancient woodland that would not otherwise be maintained.
- The house types and sizes reflected those of the surrounding areas.
- There would be the use of renewable energy sources including photo voltaic panels and air sourced heat pumps.
- The open spaces would enable community use and improved connectivity would be in place across the site.
- The proposals would enhance the existing footpath network and there would be 20 MPH speed limits throughout the site.
- The housing layout was guided by good design principles and provide good residential and visual amenity.
- The proposals were fully policy compliant and it was recommended to defer and delegate the application for approval.

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

- Under the protocol for speakers at Plans Panel there was only provision to speak on deferred applications where there were significant new material considerations.
- Although the length of a proposed cul de sac on the site was in excess of the recommended distance in guidelines, this was not a breach of policy and guidance stated that these circumstances should be avoided where possible. The shape of the site had been the determining factor.
- The scheme was considered acceptable in terms of highways safety.
- There was no policy requirement for the provision of bungalows, and these had been offered in good faith by the applicant.
- The Housing Needs Assessment submitted by the applicant followed the evidence of the Strategic Housing Market Assessment (SHMA) which was the latest evidence used to implement policy H4.
- There was no policy requirement for the assessment of trees and capture of carbon. The applicant had submitted a full report on trees included the health of the trees.
- Access points top the site had been fixed as part of the outline permission.
- There had been some reconfiguration to the access from Upper Green Avenue which would enable one of the three trees to be retained.

- The application was not felt to meet the needs of the local area. The provision of 4- and 5-bedroom houses was not appropriate to local needs. The policy for housing mix was no longer relevant for today's needs.
- Issues including Climate Change and consultation with Ward Members had not been fully addressed.
- There had not been sufficient time for further appropriate consultation and the application had been brought back to Panel too quickly.
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**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the specified conditions outlined in the report (and any amendments or additional conditions that the Chief Planning Officer may consider appropriate) and also to allow for the expiration of the advertising period.

## **10 21/05552/FU - Crag House Farm, Cookridge Lane, Cookridge, LS16 7NH**

The report of the Chief Planning Officer presented an application for the demolition of the existing buildings and construction of replacement timber framed refectory building at Crag House Farm, Cookridge Lane, Cookridge, LS17 7NH.

Members visited the site prior to the meeting and 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 application had been brought to Panel as it was located in the green belt and considered to be a departure from the Development Plan.
- The buildings to be demolished were in a poor state of repair.
- The site was used for activities by a charity organisation as well as other commercial and agricultural uses.
- The footprint of the new proposal would be larger than what is being replaced.
- CGI images of how the proposed new building would appear were displayed.
- The key planning issues were that the site fell within the greenbelt and the replacement of the old buildings with a larger building. The very special circumstances for this development were outlined in the report. These included environmental improvements and improved accessibility.
- The application was recommended for approval.

Members welcomed the application and showed support for the proposals which were considered to be an improvement on the existing facilities.

**RESOLVED** – That the application be approved subject to the conditions outlined in the report.

## **11 Election of Chair**

As Councillor Walshaw had declared an interest and was not participating in the next application, a nomination was sought to Chair the remainder of the meeting. Nominations were made and seconded on behalf of Councillors B Anderson and J Heselwood.

Following a vote on the nominations it was:

**RESOLVED** – That Councillor J Heselwood be elected as Chair for the remainder of the meeting.

## **12 21/05270/FU - Headingley Community Centre, North Lane, Headingley, LS6 3HW**

The report of the Chief Planning Officer presented an application for the change of use of the former community centre (use class F2) to aparthotel (use class C1), including one storey extension over existing boiler room, roof replacement, reconfiguration and sub-division of service yard area, bin store and bike storage at Headingley Community Centre, North Lane, Headingley, LS6 3HW.

Members visited the site prior to the meeting and 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 application had been brought to Panel at the request of Ward Members.
- There was no proposal for off street parking.
- There was a small service yard to the north side of the building.
- The site was within the Headingley Conservation Area.
- The building was currently vacant.
- There would be eight aparthotel rooms and a conference room within the building.
- The building directly abuts the highway.
- A key element of the proposals was the change in the roof. CGI images were displayed, and comparisons made to previous picture of the building.
- Windows would be redesigned, and sills would be lowered.
- Key planning issues included the change of use of the building which was acceptable, and heritage impacts and the amenity of occupiers.
- The site was in a sensitive location, and it was an important building in the conservation area. The new roof and fenestration would be harmful and out of keeping in the conservation area.

- Although there were benefits to the application and the re-use was welcomed it was felt that this was outweighed by the harm to the conservation area and amenity for occupiers. There would be ground floor rooms that had no buffer from the pavement and the pelican crossing.
- It was recommended that the application be refused.

The applicant's representatives addressed the Panel. Issues highlighted included the following:

- The proposals would secure an economical and sustainable long term re-use of the building.
- The scheme had been heritage led and supported by a heritage consultant.
- The height of the proposed new roof had been lowered to match the existing height.
- The building had been vacant for over a decade.
- The applicant had engaged with the Council throughout the application stage and had made numerous changes.
- The use of triple glazing and mechanical ventilation would protect the amenity of occupiers.
- Refusal of the application would prevent a reasonable re-use of the building.
- Owners of adjacent business were supportive of the proposals.
- In response to questions from the Panel, the following was discussed:
  - The proposed sill heights at first floor level would be lowered returning them to the original level.
  - The height of the roof was not to be changed but there would be changes to the structure to allow the dormers.
  - It was proposed to use an external contractor for picking up and dropping off at the building. There had not been any concerns from highways and the building had previously had a more intensive use in this regard.
  - The service area had space for a vehicle to reverse into. Services use would be lower with the provision of on site laundry and bin exchange as opposed to refuse collection,
  - There needed to be changes to the roof structure to make the scheme commercially viable. It had initially been proposed to add an extra storey.
  - It would be possible to change the floorplans to have the conference room to the side of the building with the pelican crossing.
  - There had not been any noise assessment to demonstrate the pelican crossing would cause a loss of amenity for residents.
  - The sill heights at ground floor level could be retained.

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

- From a conservation point of view the alterations to the roof were harmful to a positive heritage building in the conservation area due to the prominence of the building.
- The servicing arrangements were considered to be acceptable due to the minimal amount of servicing required.
- There was a definite need for the building to be brought back into use. The lack of use was not due to the appearance of the building and there had been approvals for other uses. It was recommended to work with the existing style of the building.
- There was no evidence to suggest the building couldn't be used for other uses.
- Members had only viewed the external aspects of the building during the site visit as it was felt that the main consideration was the external impact of the proposals.
- There was concern that noise disturbance would not be mitigated by triple glazing.
- The primary reason for the proposed refusal was due to the impact of the proposals on the building itself. Concerns with regard to amenity were secondary.
- The applicant confirmed that they were willing to move the conference room and carry out a noise assessment.
- The applicant would be happy to change the style of the dormers and work further with the council regarding the proposals.
- There was a conflict of advice that the applicant had received from their heritage consultant and that of the conservation officer.
- Members indicated a desire to defer the application to allow further consideration of matters that had been discussed.
- Further issues raised included a request for clarity on ventilation, a request for a condition survey and views of Ward Members.

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

- Reconsideration of design of windows with regard to vertical emphasis, style and sill heights.
- Reconsideration of roof design to be more in keeping/sympathetic with original 'Arts and Crafts' style as existing.
- Explanation from applicant as to how building is to be ventilated with particular regard to none opening windows because of noise concerns and any mechanical means of ventilation being sustainable in view of declared 'Climate emergency'.
- Request for ward member to attend panel to speak as they are in support of the application
- Condition survey required to justify that the proposal is the optimum scheme for the building but not including a viability assessment.
- Noise assessment to determine that the interior of the building will have acceptable noise levels within in it because of concern over proximity of bedrooms to back edge of footpath and audible pedestrian crossing.
- Internal redesign to move ground floor bedrooms to the other side of the building away from the main pedestrian thoroughfare.

- Consideration of whether there are any internal features worthy of retention.

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

The date and time of the next meeting will be held Thursday, 7<sup>th</sup> July 2022 at 1.30pm.