NORTH AND EAST PLANS PANEL

THURSDAY, 7TH FEBRUARY, 2019

PRESENT: Councillor N Walshaw in the Chair

Councillors S Arif, D Collins, M Dobson, R Grahame, D Jenkins, E Nash, K Ritchie, S Seary, P Wadsworth and A Wenham

SITE VISITS

The site visits in the morning were attended by Councillors Walshaw, Collins, Jenkins, Nash, Ritchie and Seary.

73 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

74 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

75 Late Items

There were no late items.

76 Declarations of Disclosable Pecuniary Interests

No declarations of pecuniary interest were made.

77 Apologies for Absence

Apologies were received from Cllr. Wilkinson. Cllr. Wadsworth was in attendance at the meeting as his substitute.

78 Minutes - 13th December 2018

RESOLVED – That subject to a slight amendment with the removal of the following 'and the playing pitch' from minute 69 fourth paragraph second bullet point, the minutes of the meeting held on 13th December 2018 be approved as a correct record.

79 18/01973/FU - Detached Classroom Building and New Decking Area to Rear, at Leeds Montessori School and Day Nursery Wetherby Road, Roundhay, Leeds LS8 2LE

The report of the Chief Planning Officer requested Members consideration on an application for a detached classroom building and new decking area to rear at Leeds Montessori School and Day Nursery, Wetherby Road, Roundhay, Leeds, LS8 2LE.

The application had been subject to a site visit earlier in the day, with photographs and plans shown throughout the presentation.

It was acknowledged that this proposal would result in an increase in the number of pupils attending the nursery from 79 to 99, and that this was likely to exacerbate the high levels of on street parking and congestion issues that are currently experienced on Wetherby Road during peak hours.

The application had been brought to Plans Panel by a Ward Member who stated that there were complicated parking issues in the area that had been exacerbated by the adjacent Roundhay School and their failure to comply with planning conditions. The Councillor had also highlighted the local interest in increasing the number of nursery places.

Members were provided with clarity on the planning history of Roundhay School. It was noted that an application in relation to parking was still pending consideration.

Members acknowledge that the recommendation to refuse this application was based on its own merits and that the highways issues caused from breach of planning conditions by Roundhay School had not had a bearing on the recommendation.

Members were advised of the following points:

- Proposal to construct a single storey detached building to provide an additional classroom for around 20 more pupils and included an area of decking;
- Removal of three of the trees to facilitate the development;
- The site was within the Roundhay Conservation Area;
- 6 letters of objection had been received and these were outlined at point 6.2 of the submitted report;
- An objection had been received from Highways on the grounds that the applicant proposes to increase intake of children without providing any additional parking;
- The development is located within the green belt and is within the urban corridor;
- The main school building and associated terraced dwellings on either side of the school are Grade II listed including the boundary wall which runs along Wetherby Road;
- It was the view of officers that there would be no negative impact on the Coach house next door;
- There would be no significant issues regarding noise from an extra 20 pupils;
- Officers were of the view that highway safety outweighed the proposals for demand of early year's learning.

The applicant addressed the Panel informing them of the following points:

- There is currently a shortage of nursery provision in the area;
- The school is currently full and has no available space until 2020;
- There are more residential housing in the area with many of them being family homes;

- The application to increase is endorsed by the Children and Families Directorate;
- The Traffic Management Team endorsed the proposal saying that there was enough parking on street.

The Panel were provided with the drop off and pick up times for the nursery and the primary school opposite.

In responding to Members questions the Panel were provided with the following information from the applicant:

- The nursery opens at 7:30am, the only overlap time of parents dropping off at both the nursey and the school is the morning period;
- Parents were requested to park sensibly, incentives and promotion of parking initiatives were presented to parents, some parents do use the Roundhay Park car park located nearby and is encouraged;
- The applicant explained that he had been at the school for 10 years. He said that there had been dramatic changes since the opening of Roundhay Primary School with over 500 children being dropped off;
- The applicant said that there had not been an issue prior to the opening of the primary school;
- The nursery provides full day childcare only with most children attending 2-3 days per week;
- About 2/3 of children attending the nursery arrive by foot but this can vary dependent on the weather;
- There are currently no disabled children attending the nursery;
- There is currently no formal travel plan for the nursery.

It was noted by the applicant that recently the primary school had been opening the gates to allow access for dropping off and picking up of children which had been helpful.

A resident from one of the adjoining properties spoke to the Panel and explained his concerns as follows:

- He was in agreement with the recommendations of the Chief Planning Officer report and the objections put forward by Highways. He said that the traffic problems were an occurrence on a daily basis five days a week both in the morning and evening pick up. He said his driveway was often blocked and when asked to move the drivers became abusive;
- Lack of privacy, the pathway in front of the properties is private but parents use it as a short cut. The residents have both parents and children walking past their windows peering in. The resident said that this small residential community felt under siege;
- There is currently no disabled access to the nursery and should it be required the parents and the children would have to walk along the private driveway;
- The driveway is for use of the residents only and is accessed by an unlocked gate which has a ‘private no parking’ sign. The Panel heard

that 60% of the parents used this driveway, especially if they had a pushchair;
- Parking had been a problem priory to the opening of the school which had exacerbated the situation. During school holidays there is still an issue as the nursery is still open.

During discussions between Members and officers the following points were noted:

- An application to vary the conditions in relation to parking had been submitted by the school. Members noted that negotiations were needed with the school to address traffic issues. It was also noted that it was unusual for the Council to take enforcement action against its self as the school was run by LCC;
- That the Traffic Authority were not supportive of the planning application;
- That the proposal would result in a 99 place nursery with no off-street parking provision;
- That the parking currently associated with the nursery extended beyond the frontage of the Almshouses;
- That Wetherby Road was a distributor road as set out in council guidance, and that parking restrictions were being ignored and cars were bumping over kerbs and parking on the pavement;
- Not all school sites have designated areas for drop off and pick up;
- Highways and the Traffic Authority need to put the correct road markings along the road to address the parking issues and be able to take action if they are not adhered to;
- That the Traffic Authority need to balance the needs of all users of the highway including local residents when considering road markings and this had recently been undertaken.

The Panel spoke of their sympathy with the residents of the Almshouses.

At the conclusion of the discussions, Members voted on the recommendation of officers as set out in the submitted report. The recommendation was over turned and Members resolved not to accept the officer recommendation to refuse planning permission.

Members placed greater weight on the benefits that arise from the proposal associated with childcare / education and these were considered to outweigh concerns over highway safety.

Councillor Arif moved a motion to defer and delegate to the Chief Planning Officer the approval of the application. The motion was seconded by Councillor Collins who requested that a condition be included for a green travel plan.

RESOLVED - To defer and delegate approval of the application to officers with imposed conditions to include the requirement of the submission and approval of a green travel plan.

Under the provisions of Council Procedure Rule 16.5, Councillor Wadsworth required it to be recorded that he abstained during the vote.

80 18/02444/FU - Proposed 3 storey extension to form bar/restaurant with managers flat above at land adjacent to former Yorkshire Bank, 53-55 Harrogate Road, Chapel Allerton

The report of the Chief Planning Officer set out a proposal for a 3 storey extension to form bar/restaurant with managers flat above at land adjacent to former Yorkshire Bank, 53-55 Harrogate Road, Chapel Allerton.

Members had visited the site earlier in the day. During the presentation photographs and plans were shown.

Members were informed of the following points:

- The site is in the Chapel Allerton Town Centre, and was described as a gap site, the proposal was for a three storey extension to the side of the former Yorkshire Bank Building which is now a Starbucks coffee emporium;
- The ground and first floor to consist of a bar and restaurant whilst the second floor would be the managers flat;
- The frontage of the proposed building to be set back and at a lower level to present a degree of subservience to the former Yorkshire Bank building which has been identified as a positive building within Chapel Allerton Conservation Area Appraisal;
- The proposed frontage to be highly glazed and of modern design;
- Servicing of the premises would be via the front of the building where there is a layby which can be used. It was proposed that the deliveries would take place between 6:30am and 7:30am;
- Refuse to be collected from the rear of the premises;
- The application was brought to Panel by a Ward Member due to concerns relating to the proliferation of drink and food based units in the Town Centre and the impact on the retail viability;
- 11 letters of objection and 4 letters in support had been received. Comments were set out at points 6.2 and 6.3 of the submitted report;
- The proposed building would have a flat roof which is in keeping with the character of the area;
- There are residential properties close by at the rear of the site, along with flats above the business premises;
- Sound insulation would be a condition if approved;
- A more detailed service management plan had been requested from the applicant;
- A number of plans were considered as part of the planning process including The Chapel Allerton Conservation Appraisal and CANPlan (Chapel Allerton Neighbourhood Plan);
- The developer has agreed should the proposal be approved to contribute £10,000 towards the public realm works which are subject to

public consultation regarding realignment of the junction of Harrogate Road and Stainbeck Lane;

Members were advised of a correction to the submitted report at 8.3 – CANPlan not an adopted SPD but Conservation Area Appraisal is. This SPD comments on the desire to create a public square at Stainbeck Corner and an identified action is:

- Explore options for enhancing public realm on Stainbeck Corner.

A further letter of objection had been received since the report had been submitted and listed the following concerns:

- New build no necessary as vacant units in area;
- Area saturated with food and drink outlets;
- Contrary to Cumulative Impact Policy.
- Noise, rubbish and anti-social behaviour.

The Panel were reminded that a Cumulative Impact Policy was not a matter for planning but a licensing policy.

A resident of Chapel Allerton and member of CANPlan attended the meeting and addressed the Panel highlighting the following concerns:

- CANPlan is due to become policy;
- The proposed site is infill;
- The former Yorkshire Bank is an iconic building and should have space around it. The building was art deco and was designed to stand alone;
- The proposed building would detract from a beautiful iconic building;
- To proposed building looks to be poor quality. It was acknowledged there was a need for a 21st century design, the resident however, was of the opinion that this was not the one;
- Noise and disruption in the town centre and to residents who live close by;
- It was the view that the wall could be removed and pleasant area be created with planting;
- Access from the rear for the bins would be difficult;
- If an area is provided for public realm the layby would not be there and make it difficult for deliveries;

In response to questions from Members, the Panel were advised of the following:

- Condition to be added with regard to any future split of ownership between the former bank building and the proposed new building;
- The Yorkshire Bank building would remain the dominant building alongside the parade of shops;
- Planning and Legal provided clarity on area for public realm, and also that any proposals would have to consider the needs of parking and servicing;
- There was a level threshold to the proposed building for disabled access. However, on the designs submitted there was no lift shown to

gain access to the upper floor. It was noted that this issue would be looked at as per Building Regulations.

RESOLVED – To grant planning permission in accordance with the officer recommendation and to include an additional condition with regard to split ownership of the former Yorkshire Bank building and the proposed new building.

Under the provisions of Council Procedure Rule 16.5, Councillor Wadsworth required it to be recorded that he abstained during the vote.

81 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be on Thursday 14th March 2019 at 1:30pm.