

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 21ST FEBRUARY, 2019**

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

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

The following Members attended site visits prior to the meeting: Councillors C Gruen, S Hamilton, D Ragan, R Stephenson, C Campbell, J Heselwood and T Leadley

### **59 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

Councillor Leadley informed the panel that in relation to Agenda Item 7, Application 18/00846/FU – Former site of Benyon Centre that he had observed previous discussions on the application and would not taking part in the discussion and abstaining from voting.

### **60 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors B Anderson and A Hutchison.

Councillors R Stephenson and T Leadley were in attendance as substitutes.

### **61 Minutes - 17 January 2019**

**RESOLVED** – That the minutes of the meeting held on 17 January 2019 be confirmed as a correct record.

### **62 Application 18/00846/FU - Former site of Benyon Centre, Ring Road, Middleton, Leeds**

The report of the Chief Planning Officer referred to an application for the construction of a mixed use retail led development comprising retail (use Classes A1, A2, A3 and A5), leisure (use Class D2), non-residential institutions (use Class D1) and bookmakers (Sui Genris) with associated access, parking and landscaping.

The application had been previously been considered at the Panel meeting held in December 2018 when it had been deferred following the Panel's decision to overturn the officer recommendation for refusal. The report set out

the reasons for approving the application. Conditions to the application had been agreed with consultees.

**RESOLVED** – That following Members resolution to approve the application, approval be deferred and delegated to the Chief Planning Officer subject to the conditions specified in the report (and any others which he may consider appropriate) and the completion of a legal agreement within 3 months from the date of resolution, unless otherwise agreed in writing by the Chief Planning Officer, to include the following obligations:

1. Local employment initiatives
2. Travel Plan Monitoring Fee

**63 Application 17/07071/OT - Land to north of Gibraltar Road, Pudsey, LS28 8 DF**

The report of the Chief Planning Officer presented an application for residential development (up to 14 units) to consider layout and means of access only at land off Gibraltar Road, Pudsey.

Members attended 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 referred at the request of a local Ward Councillor due to highways safety concerns.
- There had been 8 letters of objection. Issues raised included the loss of wildlife habitat and greenspace.
- The site was allocated for housing in the UDP and emerging SAP.
- The site was adjacent to the greenbelt and any development should reflect this.
- 14 units on the site would allow for on-site greenspace provision.
- Proposed access arrangements were explained. There would be a slight diversion to existing arrangements to improve sight lines.
- Conditions for nature conservation and wildlife were recommended.
- The application was recommended for approval.

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

- There had already been development on the western side of the site.
- There would not be any new footpath provision on Gibraltar Road.

It was proposed that there should be an additional condition imposed on the permission to restrict the units on site to no more than 14.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report and that an additional condition be included to limit the maximum number of units to 14.

**64 Application 18/03007/FU - Masham Court, Shaw Lane, Headingley, Leeds**

The report of the Chief Planning Officer presented an application for one dwelling with an attached garage at Masham Court, Shaw Lane, Headingley.

It was moved that the application be deferred to give Members an opportunity to visit the site prior to any determination of the application.

**RESOLVED** - That the application be deferred to allow Members to visit the site.

**65 Application 18/07001/FU - 36 Woodhall Lane, Stanningley, Pudsey, LS28 7TT**

The report of the Chief Planning Officer presented an application for the change of use of a dwelling house (C3) to a residential home (C2).

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 referred at the request of a local Ward Councillor.
- Objections to the application had raised concerns regarding the potential impact on adjacent properties.
- The applicant ran a number of homes in North West Leeds for young people. The proposed home would provide a place for post hospital rehabilitation and independent living.
- It was not considered that the proposed use of the property would cause any more disturbance than that of a large family.
- There would be a condition to limit the number of residents.
- The application was recommended for approval.

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

- There were restrictive covenants that included the property should remain as a private dwelling.
- There was a lack of local facilities.
- Access was difficult and local road crossings were potentially dangerous.
- There had been incidences of anti-social behaviour and drug use in the area which could be a hazard to vulnerable young people.

- There would be an impact to residential amenity to properties to the rear.
- There would be increased disturbance due to visitors to the property.
- It was requested that the application be refused due to increased traffic, noise disturbance, breach of restrictive covenants and the potential to put young people and residents at risk.

The applicant and their agent addressed the Panel. It was reported that the services carried out by the company included supporting young people with mental health issues who had been discharged from hospital. There would always be specialist staff on site and in five years of operating similar facilities at other locations there had not been any problems with anti-social behaviour or that needed police attendance.

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

- The applicant would be willing to provide some screening to the rear of the property to protect neighbours privacy.
- The restrictive covenants were not of material consideration.
- Young people in residence at the property would be escorted to schools/colleges and full risk assessments would be carried out for each individual.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report.

## **66 Application 17/07108/FU - Unit 8, Ashfield Works, Westgate, Otley**

The report of the Chief Planning Officer presented an application for the demolition of derelict buildings, conversion of former printing press manufacturing building to retail use, construction of a care home, retail units, six residential units and new pay and display car park.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

Councillor Campbell informed the Panel that he had previously commented on an earlier version of the application but that he would be treating the application with an open mind and without pre-determination.

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

- Areas to be developed were highlighted on an aerial view of the site. These included pedestrian links, access and locations of proposed buildings.
- Proximity to the River Wharfe.
- The first phase of the development was likely to be the care home. Prior to use, existing buildings would need external restoration works. The next phase would include the car parks and new retail units.

- The proposals met the requirements of the emerging Site Allocation Plan.
- The proposals had received supporting comments from Historic England.
- The application was recommended for approval.

A representative of Otley Town Partnership and a local resident addressed the Panel with concerns and objections with regards to the proposals. These included the following:

- The proposed crossing at Church Lane would be dangerous.
- There was no dedicated delivery points for retail units.
- The footway between Church Lane and Westgate did not take account of changes in ground levels and was not in the ownership of the developer
- The residential units would not be accessible for refuse collection.
- The care home had insufficient parking for residents, staff and visitors.
- Pedestrian access to Car Park 3 - routes would be across private land.
- A pre-application submission would have been helpful.

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

- There had been a well attended public consultation event in October 2017 and wider consultation with statutory consultees.
- The proposals were in accordance with the National Planning Policy Framework, the Leeds Plan and the Otley Town Council Development Brief.
- The proposals had the support of Historic England.
- Benefits of the proposals would include improved permeability and access to a closed off area; employment opportunities; provision of much needed care provision and regeneration of a derelict area.
- All proposed pedestrian and vehicular accesses were deliverable.
- The majority of existing tenants had been fully consulted and alternative premises and compensation packages had been sought.

In response to comments and questions, the following was discussed.

- It was reported that the footpath connections were key and any permission would require that they be in place prior to use of the southern car park.
- That further information should be sought from the developer with regards to additional plant on the roof of the care home.
- There were a number of internal layout issues that could be addressed by alterations such as the identification of delivery for retail units and refuse wagon access. Further detail was needed where there were level changes.

- Main highways concerns focussed on traffic modelling and potential impact on junctions. There would be further consultation with the developer with regards to this and there would also need to be further monitoring for signal timing and control.
- Existing Beech Hill car park – there was spare space to be able to move parking spaces and include a pedestrian route. There was sufficient space to be able to move parking spaces and include a pedestrian route. Any permission would be subject to a condition requiring car parking spaces to be laid out prior to first use of the development to the north of Westgate.
- Access arrangements to the site.
- Car parking provision for the care home – this would not be part of the public car parking – 18 spaces would be provided which is 4 less than recommended. There was room for extra parking but this would be at the loss of landscaping.
- The crossing point at Church Lane and exiting traffic from the car park to Westgate.
- There was some support for the proposals which would regenerate a derelict and run down site.
- A request that stone from the demolition of the wall on Church Lane be re-used.
- Any permission would be subject to a condition relating to access and parking for construction vehicles.
- The maximum number of spaces should be provided for the care home.
- Regeneration of old buildings was regarded as positive.
- Concerns regarding security for a car park that would be sited in a back street location.
- A pre-application presentation would have been useful.
- It was moved that the application be deferred to allow further detail on highways, pedestrian routes and other issues.

**RESOLVED** – That the application be deferred for further consideration of:

- Traffic modelling to demonstrate altered traffic flows through existing and proposed new junctions, with mitigation as necessary
- Service delivery and refuse collection arrangements including plans to show swept paths of refuse vehicles
- Detail of new car park ramps to show separate pedestrian route not dependent on steps
- Detail of crossing of Church Lane by new car park ramp to show adequate visibility
- Clearer delineation of pedestrian routes across the North of Westgate site to the footpath to the North of the site which leads to St Joseph's school etc.
- Reuse of stone from demolition of Church Lane wall/ buildings
- Details of any extract ventilation equipment on the roof of the care home required

## **67 Application 17/06052/OT - Pool Paper Mills, Pool Road, Otley, LS21 1RP**

The report of the Chief Planning Officer presented an outline application to erect a residential development and associated sports club on land at Pool Paper Mills, Pool Road, Otley.

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 scheme would allow a capital receipt to be generated from the sale of the land to be re-invested into the Pools Paper Mills to secure its longer term operation. It would also necessitate the provision of a new sports facility.
- Access to the residential development would be from Pool Road.
- Access to the sports facilities would be from the existing staff and visitor access to the paper mills, and an upgraded access track to a substation.
- An indicative housing layout of 9 dwellings was shown.
- Circumstances identified to justify the development in the greenbelt include the continued operation of the paper mills business, provision of a permanent sports facility and limited harm to the openness of the green belt.
- Detailed information had been submitted regarding the long term operation of the business and the requirement for further capital investment.
- It was felt that the opportunities for local employment, provision of a permanent sports facility and limited harm to openness of the green belt cumulatively amounted to very special circumstances which outweighed the inappropriate development in the green belt. The application was recommended for approval subject to a Section 106 agreement which included a requirement that the capital receipt from the sale of the land to be re-invested in the business and for provision of the sports facility.
- There had been further objections following the publication of the agenda. These included concerns regarding incremental development, potential for flooding, urbanisation of the rural area and development of the sports facility leading to a loss of wildlife. There was also concern that an independent assessment of the business case for Pools Paper Mills had not been made available.
- There had been wildlife and tree surveys and tree felling would be prevented where there were signs of bat habitats.
- There should be an additional condition imposed restricting a maximum of 9 dwelling units.

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

- The green belt was not just local and could be viewed from Otley Chevin.
- The proposals would be harmful to two green belt sites with the creation of buildings, tarmac, traffic and light pollution.
- The local Neighbourhood Plan was to ensure that Pool remained separate from its neighbours.
- The company had previously had to sell land for development.
- The need to demonstrate very special circumstances.
- In response to questions it was felt that the existing sports facility was sufficient but people would prefer new state of the art facilities. However there were more people against new development. It was also stated that housing targets in the area would be met.

The applicant and their representatives addressed the Panel. The following was highlighted:

- The report outlined the reasons for delivery of the proposals which included a compelling economic and community benefit case.
- There was no other paper mill in the UK which manufactured the same papers and products.
- The proposals would maintain and increase the local workforce.
- The sports facilities would be a significant improvement with a clubhouse and dedicated parking.
- In response to questions, the following was discussed:
  - Although the investment in the company would not guarantee the long term of the future paper mill, the investment would allow the mill to become self-supportive.
  - Land to the rear of the main site office could be used for car parking.
  - Alternative options to generate the capital required had been explored including the potential sale of Braime House. The sale of Braime House would not raise the necessary funds.
  - The parent company had previously supported the paper mill as it had been making a loss but wanted the mill to now become self-sufficient.
  - The local football club still had a ten year lease for the sports pitch and a new lease would supersede that should the application be granted. The local club was supportive of the application.
  - The mill would retain responsibility for maintenance of the sports facilities.
  - The future of the sports facility would be secured by the Section 106 agreement should there ever be a change of ownership.

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

- Concern that Members had not received full information with regards to the business case. It was reported that the business case information

was publicly available and would not normally be circulated to Panel Members. There had been a summary in the report.

- The site was a windfall site and not included in the SAP for housing. This did not prevent the development of housing.
- Should the proposal be approved, the applicant expected it to result in the safeguarding of the existing 120 jobs and creation of an additional 24 jobs.
- Consideration of potential for other development should the paper mills close.
- Concern that there had been a previous application and that the business model was based on selling assets.
- Whether the company should explore other options before selling off land in the greenbelt.
- The sale of greenbelt to generate capital receipts for a private company did not constitute the very special circumstances required for the application to be approved.

A motion was made to refuse the application. This was seconded, voted on and was not carried.

A further motion was made to amend the officer recommendation and include additional conditions. It was:

**RESOLVED** – That the application be deferred and delegated to officers to agree an alternative access to the new sports facilities, using the road to the office building and then past the manager's house.

Add additional conditions relating to:-

- Construction management plan for biodiversity
- Biodiversity enhancement management plan
- Lighting design strategy.
- Limitation of number of new dwellings to maximum of 9

Formulate S106 agreement

- Capital receipt from the sale of the existing sports pitch to be used to provide the new sports pitch / club with the remainder reinvested in the Weidmann Whiteley business at Pool; and
- The sports pitch / club to be a permanent community facility.

Approve subject also to any decision of the Secretary of State to call in the application in for his own determination as a Departure from the Green Belt.

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

Thursday, 21 March 2019 at 1.30 p.m.

Draft minutes to be approved at the meeting  
to be held on Thursday, 21st March, 2019

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