

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 25TH APRIL, 2019**

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

Councillors B Anderson, C Campbell,  
P Carlill, M Gibson, S Hamilton,  
J Heselwood, A Hutchison, D Ragan,  
J Shemilt and P Wray

The following Members attended site visits prior to the meeting: Councillors C Gruen, S Hamilton, D Ragan, P Wray, M Gibson, C Campbell and J Heselwood.

### **75 Declarations of Disclosable Pecuniary Interests**

There were no declarations.

### **76 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors K Brooks and A Hutchison.

Councillor P Carlill was in attendance as substitute for Councillor K Brooks.

### **77 Minutes - 21 March 2019**

**RESOLVED** – That the minutes of the meeting held on 21 March 2019 be confirmed as a correct record.

### **78 Application 17/01212/FU - Whitehall Estate, Ashfield Way, Farnley, Leeds**

The report of the Chief Planning Officer presented an application for a retrospective change of use of land to form extension to existing waste transfer station and alterations to existing site layout approved by permission reference 24/295/00/MIN; new front extensions to waste transfer building at Whitehall Industrial Estate, New Farnley.

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 nearest residential properties were 250 metres away.
- Current hours of operation were 08:30 to 17:30 Monday to Friday and 08:00 to 17:00 on Saturday. The applicant had requested 06:00 to 00:00 Monday to Friday and 06:00 to 15:00 on Saturday. Due to a high number of complaints it was recommended that the hours should be 07:30 to 19:00 Monday to Friday and 08:00 to 17:00 on Saturday.

- Retrospective changes included the following:
  - New boundaries for the permission included the access road, storage areas and office accommodation.
  - Installation of the conveyor system.
- It was proposed to extend the waste transfer building to mitigate the impact of disturbance caused by activities.
- Phase 1 of the scheme would involve installing cladding around external storage and conveyor belts. Phase two would involve covering the rest of the yard area.
- Objections to the application mainly focussed on the disturbance due to extended hours.
- The noise impact report submitted by the applicant was considered to be flawed. It was considered that the hours of operation should only be during daytime hours which was in line with other waste operators.
- It was felt that noise levels would be acceptable during the proposed working hours.
- Other potential impacts would be mitigated by planning conditions. These include odour emissions and management of mud and dust.
- The applicant had withdrawn the second phase of the application due to the recommended hours.
- It was recommended that the application be approved.

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

- The hours of operation and noise pollution. Leeds City Council guidance on the use of heavy equipment stated that this should not occur after 18:00 Monday to Friday and 13:00 on a Saturday.
- It was not comparable to other waste operators at the site due to its closer proximity to residential properties.
- The existing mud and dust management plan was not sufficient and led to hazards on Whitehall Road.
- Local residents would like the current hours of operation to remain.

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

- The applicant had worked closely with planning officers to reach agreement on the proposals.
- The applicant was long established on the site and was sensitive to local residents.
- There were numerous other operators on the estate who contributed to noise. Some of these had 24 hour operations.
- Concessions had been made to the original application and the applicant would continue to work with in statutory guidelines.

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

- Machinery would not always be in operation during the proposed extended hours. The extended hours would allow to make up for occasions when machinery was not working.
- All operations carried out as a result of this application would be carried out inside internal areas.
- There were means of enforcement should noise be a persistent problem and the site was also regulated by the Environment Agency
- Clarification of condition 8 which involved tipping waste into inside areas. Conditions 6, 13 and 14 should be included within the new line boundary and possible changes to the boundary treatment.
- Concern that there would still be noise disturbance that may affect local residents.

**RESOLVED** – That the application be approved as per the officer recommendation and the following conditions:

Additional conditions required for:- 1) Boundary landscaping, 2) Surfacing and drainage of storage areas, 3) Reporting condition for periods site is required to operate from 5pm to 7pm because of mechanical failures. Also additional line to be added to conditions 6, 13 and 14 to ensure the information is submitted and approved prior to erection of buildings and implementation of additional operating hours.

**79 Application 18/02152/FU - Land at former Burley Community Sports and Social, Burley Club, Burley Road, Burley**

The report of the Chief Planning Officer presented an application for the construction of 110 apartments with car parking and landscaping on land at the former Burley Community Sports and Social Club, Burley Road, Burley, Leeds.

The Panel had received a position statement in respect of the application at the meeting held on 17 January 2019 and Members had visited the site prior to that meeting. Site plans and photographs were displayed and referred to throughout discussion of the application.

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

- Since the presentation of the position statement the following changes had been proposed:
  - The scheme would no longer be extended onto the public greenspace.
  - An increase in onsite greenspace.
  - Changes to the housing mix. There would now be 110 units with an increase in the number of 3 bedroom flats.
  - A reduction from 6 to 5 storeys.
- There would be a condition for materials to be used.
- There was still a requirement for off-site greenspace permission.

- The target for three bed units had not been met but there was a view that this was an urban area and not ideal for family housing.
- The application was recommended for approval subject to conditions in the report and the delivery of a Section 106 agreement.
- A representation had been made from a local Ward Councillor regarding the sports pitch with a request to defer the application for further discussion with Sport England.

In response to comments and questions the following was discussed:

- There was a requirement for 5% affordable housing within the development.
- It was pleasing to see the re-use of a derelict site and a greenspace contribution.
- Some concern whether the site should be used for housing and that policy requirements were not met in relation to car parking and greenspace provision.
- The Chair commented that this was an example of using a Position Statement well to achieve significant changes.

**RESOLVED** – That approval be deferred and delegated to the Chief Planning Officer subject to the specified conditions 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:

- Provision of on-site greenspace and a financial contribution of £298,039.57 for the creation of off-site greenspace.
- Funding of £30,000 for provision of Traffic Regulation Orders to control parking on surrounding streets including a residents parking scheme if required.
- Provision of affordable housing.
- Travel plan measures including the provision of Metrocards.

## **80 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 care home, retail units, six residential units and new pay and display car park at Unit 8, Ashfield Works, Westgate, Otley.

The application had been deferred at the panel meeting held on 21 February 2019 for further consideration of various matters including traffic modelling, service vehicle arrangements and pedestrian routes. 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 in relation to the application included the following:

- Details of the traffic modelling exercise.
- Proposals to install a MOVA traffic light system.
- Revisions to the plans to allow adequate turning room for refuel vehicles.
- Arrangements for pedestrian movement between car parks.
- Further to concern regarding the installation of plant equipment on the roof of the care home building it was reported that there was room within the roof space to do this.
- There had been a further representation with concerns that part of the development would be obstructive to refuse collection. There would be an additional condition to address this.
- Development of the site would provide housing and employment opportunities, re-use historic buildings and regenerate the town centre.

The Panel heard from a local resident on behalf of Otley Town Partnership with objections to the application. These included the following:

- Reduction in parking time to 2 hours from 4 hours...
- There was insufficient parking for the office development and retail units.
- Concern regarding volumes of traffic and installation of traffic lights.
- The MOVA system would not resolve traffic problems.
- Poor access through the car park areas.
- None of the existing tenants have yet been offered alternative accommodation.

In response to these concerns it was reported that the new car park hours had changed as there would be an impact on existing pay and display parking and that it was hoped for a turnover of customers at the retail unit and for it not to be used for longer parking. With regard to the traffic modelling it was reported that this was based on the site being fully developed. The MOVA system would be installed to reduce congestion by comparing interaction of junctions and it was expected to provide a benefit with traffic movement.

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

- The proposals had been developed following public consultation events and consultation with statutory bodies and the Town Council.
- There were no objections to the highways and parking proposals.
- The applicant was working with the Council to resolve issues for existing tenants.
- The proposals would bring many benefits including improved permeability to the town centre, employment opportunities and a nursing home.
- There was a right of way for the northern access through the archway to Kirgkate.

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

- Conditions to report – amendments to condition 3, provision of electric vehicle charging points and clarification of archaeological investigations to be carried out before work commences.
- A request for car parking to be extended to 3 hours.
- Concern with regard to stepped access between car parks and loss of open space for car parking.
- Concern regarding the impact on highways particularly at Manor Square crossroads.
- When the core strategy was adopted there would be 10% electric charging points with the infrastructure to install more at a later stage.
- Members took a vote on how long car parking should be for and it was decided to keep this at 2 hours.
- Archaeological investigation could be undertaken prior to each phase of the development.
- The need for an additional condition for Bin storage and collection off Westgate Road and provision of Fire escape
- Difficulties with installing a ramp between car parks 2 and 3. It was felt that due to the convoluted design that pedestrians would still use the vehicular ramp. There were alternative areas of access.
- Concern as to how this scheme would contribute towards high street regeneration and also the high number of new housing in the local area and impact on highways.
- Concern regarding the carbon footprint implications of this development following the Council's announcement on climate change.
- If problems occurred with signage for car parks this could be addressed with the car parks team and Ward Councillors.
- The traffic modelling had looked at an area wider than the site. It was acknowledged that there was congestions with traffic and there would be traffic growth. The modelling carried out had taken account of a worst case scenario and the MOVA system would bring improvements.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to conditions outlined in the report and the following conditions:

Additional condition for Bin storage and collection off Westgate Road and provision of Fire escape. Amendment to Condition 3 Typo on second line, electric charging points to be provided in line Core Strategy. Condition 19 to be amended to ensure Archaeological investigation is carried out before each phase of development commences.

**81 Application 18/02140/FU and 18/02141/LI - Stonebridge Mills, Stonebridge Lane, Farnley, Leeds**

The report of the Chief Planning Officer presented an application and a listed buildings application for conversion of mill buildings, demolition of listed buildings to provide 30 dwellings and the construction of 82 new dwellings

(112 dwellings in total) with associated access and landscaping at Stonebridge Mills, Stonebridge Lane, Wortley, Leeds.

The applications had been presented to the Panel in October 2018 as a position statement where Members had been generally supportive of the scheme. Members visited the site prior to that meeting. Site plans and photographs were displayed and referred to throughout the discussion of the applications.

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

- Buildings to be retained were highlighted on an aerial view photograph.
- There would be partial retention of the mill pond.
- The site had extant planning permission for a supermarket.
- Changes since the application was initially submitted.
- There had been objections from Local Ward Councillors. These included the plans as being over intensive and that the mill pond should be retained in its entirety. There had also been letters of objection from neighbouring residents.
- The proposals had received support from Leeds Civic Trust.
- The site had been identified for housing under the emerging Site Allocation Plan.
- The application presented opportunity for the long term use of listed buildings.
- The proposals were supported by a full heritage salvage statement which included the re-use of materials.
- Full retention of the mill pond would mean that there would be 30 less units and this would affect the viability of the proposed development. The approval for the supermarket involved partial loss of the mill pond.
- On-site greenspace exceeded policy requirements.
- There would be a new access to the site from Stonebridge Lane and there had been no highways objections. The proposals met all accessibility standards.
- There was a viability issue and this had been assessed by the District Valuer. There would be a reduction in the provision of affordable housing. It was acknowledged that there was a high cost of development and constraints on the site.
- The applicant was prepared to commence development in August 2019.
- It was felt appropriate to have an overage clause for provision of affordable housing should property sales and monies allow to do so.
- The applications were recommended for approval.

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

- The application proposed more units than stated in the Site Allocation Plan.

- It was requested that local Ward Councillor be involved at every stage should the application be approved.
- All the mill pond should be retained.
- Concern regarding the impact on wildlife.

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

- This was a complex site due to the heritage aspects, wildlife and highways.
- The site had been vacant for over 20 years.
- The proposals had been shaped following comments received after presentation of the position statement.
- The proposals would deliver over 100 new quality homes.
- Heritage and wildlife featured in the proposals.
- There would be provision of a new public nature park.
- The scheme would get historical buildings back into beneficial use.
- In response to questions, the following was discussed:
  - A detailed cost estimate had been provided for the District Valuer. It was an expensive project and cost of building on this site was higher than typical for the area.
  - There were unusual added costs which included work due the site been on the flood plain, level differences, drainage needs, costs relating to heritage and work on the mill pond.
  - Provision of affordable housing – this may be levied on the new build and re-evaluated throughout the project.

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

- The District Valuer report had not been brought to Panel. It had been decided to present the report with the benefits of the proposals and on balance that the solution for an overage clause which could be reviewed at various stages of the development was sufficient.
- The applicant had expressed a desire for new building to commence at the same time as the restoration works. There would be further discussion with the applicant.
- Concern regarding the lack of affordable housing and that it was a risk based on future evaluation.
- Concern that any affordable housing would be provided elsewhere. It should be on this site.
- It was suggested that the application be deferred for the Panel to see the report of the District Valuer.
- House types – it was against policy to have garages at ground floor levels of properties and that these should be removed. It was reported that these had been kept to a minimum on the site and had not been raised as an issue for concern when the position statement was presented.



**RESOLVED** – That the applications be deferred to allow the District Valuer to present to Panel to fully understand variance of opinion between the District Valuer and the applicants with regards to the affordability of the scheme. Also to re-consider the design of properties with integral garages.

**82 Date and Time of Next Meeting**

Thursday, 30 May 2019 at 1.30 p.m.