

NORTH AND EAST PLANS PANEL

THURSDAY, 20TH JUNE, 2019

PRESENT: Councillor K Ritchie in the Chair

Councillors D Collins, R Grahame, E Nash,
S Seary, N Sharpe, M Midgley, T Smith
and P Wray

SITE VISITS

Site visits attended by Cllrs Ritchie, Grahame, Nash, Seary, Midgley and Smith.

1 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

2 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

3 Late Items

There were no formal late items. However there was supplementary information in relation to agenda item 11 – Application 18/01609/FU - Demolition of Bramham House.

4 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

However Cllr. Ron Grahame informed the Panel that his wife Cllr. Pauleen Grahame was the local ward member for Crossgates and Whinmoor and that she was due to speak on item 8.

5 Apologies for Absence

Apologies for absence had been received from Councillor Jenkins. Councillor Wray was in attendance as his substitute.

6 Minutes of meeting held on 16th May 2019

RESOLVED – That the minutes of the meeting held on 16th May 2019, were approved as a correct record.

7 APPLICATION 18/07752/FU CHANGE OF USE OF RESIDENTIAL GARAGE TO DWELLING 17 OAKSFIELD METHLEY LEEDS LS26 9AE

The report of the Chief Planning Officer set out reasons for refusal on an application for change of use of residential garage to dwelling on land at 17 Oaksfield, Methley, Leeds.

Panel Members had visited the site earlier in the day. Photographs and maps were shown throughout the presentation.

Members were advised of the following points:

- Oakfields Road is a private road not adopted by Leeds City Council;
- It is unmade and does not have a segregated pedestrian area;
- The plot currently has a garage and workshop on it;
- The garage door would be replaced with a window and door, the main garage would be used as the living area and kitchen with one bedroom and an en-suite bathroom;
- There are no proposals for changes to the shed / storeroom on the plot;
- 0.9 m high brick wall to the front is proposed as the boundary treatment with a timber gate;
- A neighbour had been refused permission for change of use from garage to form a dwelling house in 2018, it was also noted that this had gone to appeal, though the Inspector had dismissed the appeal on all grounds except for residential amenity;
- Concerns had been raised by Highways in relation to the opening from Pinfold Lane onto Oaksfield due to issues of visibility at the junction, and the junction does not allow for two way passing;
- In accordance with Leeds Design Guide private roads should serve no more than 5 properties. It was noted that once a road exceeds 5 dwellings it should be constructed and designed to an adoptable standard and offered for adoption. Oaksfield currently serves 28 dwellings;
- Former Cllr. Wakefield had requested that the application be brought to Plans Panel;
- There is no parking proposed as the applicant has indicated that they do not need a car. However, it was noted that future residents of the property may have a car.

The applicant and his agent attended the meeting and informed the Panel of the following:

- Mr Bobby had lived and work in Methley all his life, currently as a caretaker of a school with a tied cottage and previously as a miner;
- He had recently had a cancer scare with cancer in his jaw and was looking to retire which meant that he needed a home;
- He had lost his confidence to drive and Oaksfield is close to amenities, and bus stops;
- There are 20 metre visibility splays at the junction of Pinfold Lane and Oaksfield;
- This is a type 2 connector street with 20mph signs;
- The hedges either side could be cut back and maintained.

In response to Members questions the Panel were provided with the following information:

- The whole plot including the garage and the shed are in the ownership of the applicant;

- All other properties on Oaksfield had car access;
- This application could set a precedent for other plots to be used for proposed dwellings;
- Not able to set a condition restricting access for cars to a property as it was not enforceable;
- This land had been historically used for allotments;
- The garage had been built on the plot in 2009;
- This plot was now a stand-alone plot and there was potential for others to become stand-alone plots in the future;
- There are no pedestrian facilities on the road, or a turning head;
- The design of the proposed dwelling would meet 'Lifetime Homes' standard.

RESOLVED – Members agreed the officer recommendation and resolved that planning permission should be refused for the reasons set out in the report (highway safety, no on-site parking provision and harm to the character of the area).

8 APPLICATION 19/01819/FU SINGLE STOREY EXTENSION TO THE SIDE/REAR AND BOUNDARY FENCE TO SIDE 8 WHITE LAITHE GROVE WHINMOOR LEEDS LS14 2EN

The report of the Chief Planning Officer requested Members consideration on an application for a single storey extension to the side/rear and boundary fence to side at 8 White Laithe Grove, Whinmoor, Leeds, LS14 2EN.

A site visit had taken place with Members in attendance earlier in the day. Photographs, maps and plans were shown throughout the presentation.

The Panel was informed of the following points:

- The application had been brought to Plans Panel by Cllr Pauleen Grahame who was concerned about the increase in traffic in the area due to visitors to the property and also that the fencing would be unsightly and spoil the look of the area;
- The proposal was to make the dwelling into a six bed property the extension would provide two additional bedrooms and an additional bathroom;
- The extension would bring the property close to the rear boundary and there was a proposal that a 8 metre high fence would be erected to mitigate overlooking;
- The drive would be made wider to accommodate two cars;
- Email received from the applicant (LCC) 18th June 2019, stating the conifer hedge was to remain

Cllr. Pauleen Grahame and two residents were in attendance at the meeting and informed the Members of the following;

- Specifics on the proposed measurements;
- This is not a modest build;
- Most of the garden would be taken over by the extension and therefore the garden would not be sufficient for the proposed number of children to play in;
- No management construction plan was proposed;
- The construction noise and disturbance will affect all neighbours;
- There had been 23 complaints to the proposal – the main concerns were listed in the submitted report at point 6.4;
- This is not the area for a dwelling of this size;
- This property would decrease the value of the surrounding properties specifically the adjoining house.

A Principal Surveyor from Resources and Housing attended the meeting to answer questions from the Panel.

Members in considering the application discussed the following:

- Parking spaces
- Amenities within the area including bus stops, and schools;
- The size of the garden that would be available for use;
- If the living space would be adequate for a large family;
- Future occupancy of such a large house;
- Too large for the size of the plot;
- Character of the area and the size of proposed property.

At the conclusion of the discussions, Councillor Nash moved a motion to reject the recommendations as detailed in the submitted report, so that the application be refused. The motion was seconded by Councillor Collins. On being put to the vote, Councillor Nash's motion was passed.

RESOLVED – Not to accept the officer recommendation that planning permission be granted and resolved that planning permission should be refused for the following reasons:

- Parking insufficient for size of the extended dwelling;
- Impact of the development on the character and visual amenities of the locality;
- The proposal would result in an overdevelopment of the site with the resultant private amenity space being inadequate to serve the needs of the occupiers of the dwelling.

Councillor Collins moved to delegate to officers the final wording of the refusal this was seconded by Councillor Wray. On being put to the vote it was resolved that the final wording and issuing of the refusal of planning permission was delegated to officers.

9 APPLICATION 19/00835/FU ALTERATIONS INCLUDING RAISED ROOF HEIGHT TO FORM HABITABLE ROOMS; TWO STOREY PART FIRST

FLOOR SIDE/REAR EXTENSION 22 PARK LANE MEWS SHADWELL LS17 8SN

The report of the Chief Planning Officer requested consideration on alterations including roof height to form habitable rooms; two storey part first floor side/rear extension at 22 Park Lane Mews, Shadwell, Leeds, LS17 8SN.

Members had attended a site visit prior to the meeting held on 16th May 2019 where the application had been due to be heard. However a procedural error had occurred and the application had to be withdrawn.

Photographs, maps and plans were shown throughout the presentation.

Objections had been received from No 20 and No 24 Park Lane Mews the comments were provided to the Panel alongside comments from officers in response to concerns as follows:

- Overlooking from bedroom windows on No 1, 2, and 5 to 20 Park Lane Mews.
 - The windows directly look over the applicants own property rather than neighbouring rear gardens and as such will not overlook No 20 Park Lane Mews
- The report does not mention the effect on the front garden or the sunlight enjoyed in the front living room
 - The existing dwelling already creates overshadowing to the neighbouring property to the front garden area. It is considered that the proposed extension will not negatively impact the front garden area of the neighbouring property.
- Condition 4 states no insertion of windows. Revised plans were received on 12th June with an additional window at ground floor and a fake window at first floor.
 - The additional window at ground floor will be screened by the existing boundary treatment facing onto Park Lane Mews. The fake window is to break up the amount of material on the side elevation. The condition will remain so that the LPA has control if any other openings are proposed in the side elevations at a later date.
- Overbearing and over dominant.
 - Discussed in officer's report
- Proposal will be overwhelming to neighbouring properties
 - Discussed in officer's report
- Out of character.
 - Discussed in officer's report
- Set a precedent.
 - Each application is assessed on own merit
- Increase pressure on parking, amenities and services
 - Discussed in officer's report
- The probability of the materials used on all four sides of the building will make this a prominent building and an eye sore.

The Panel were informed that photographs had been sent by a resident of Park Lane Mews which showed parking issues these were viewed by Members at the meeting.

The Panel were advised that the parking on site was adequate for the size of the proposed property. It was noted that the garage cannot be classed as a parking space. However, it was the view that there was sufficient parking to the front of the property.

Two objectors were in attendance at the meeting and put their concerns to the Panel as follows:

- 16 residents out of 29 had raised concerns in relation to the proposals;
- The proposal was over dominant and overwhelming;
- It would spoil the character of the area;
- The house style on Park Lane Mews is in the Georgian with small panes of glass at the windows, the proposed dwelling is totally out of character with the area;
- The windows have already been changed and look out of character;
- The property should have 3 parking spaces;
- It will be 4 metres closer to numbers 11, 20, 26, 15, and 28;
- Overlooking of number 20 would affect privacy;
- It will be difficult to source the same materials for the build;
- The roof line will be higher than neighbouring properties.

The applicant was also present at the meeting and provided the Panel with the information relating to the proposals and responded to their questions with the following:

- No. 22 is a gable fronted property and this would remain the same, there are other properties within the development that are also gable fronted;
- There will be no impact on 18,16 or 20 with overlooking;
- The majority of light into the upper floor would be through velux windows;
- The properties are not identical;
- There is sufficient parking for 2 ordinary cars to the front of the property and the garage is used for an oversized vehicle;
- The front canopy is to be removed, therefore there will not be cars parked on the pavement as shown in photographs;

In reconsidering the application the Members discussed the following points:

- Parking spaces, with a suggestion that parking be considered to the rear of the property;
- Received clarification on guidelines in relation to garages;
- Height of proposed property in comparison to surrounding properties;
- Overlooking.

Towards the end of the discussions Councillor Wray moved a motion to defer for further negotiations but then withdrew this motion.

Councillor Collins moved a motion to reject the officer recommendation as detailed in the submitted report, so that the application be refused. The motion was seconded by Councillor Nash. On being put to the vote Councillors Collins motion was passed.

RESOLVED - Not to accept the officer recommendations that planning permission be granted and resolved that planning permission be refused for the following reasons:

- Parking insufficient for size of the extended dwelling;

The final wording and issuing of the refusal of planning permission was delegated to officers.

10 APPLICATION 19/01375/FU DEMOLITION OF EXISTING PROPERTY AND REPLACEMENT NEW DWELLING 165 ALWOODLEY LANE ALWOODLEY LEEDS LS17 7PG

The report of the Chief Planning Officer set out an application for the demolition of exiting property and replacement new dwelling at 165 Alwoodley Lane, Leeds, LS17 7PG

Members had attended at site visit earlier in the day, photographs and plans were shown throughout the presentation.

Members were advised that since the publishing of the report there had been 3 additional objections to the proposal submitted from the occupiers of 141 Alwoodley Lane, the property to the west; the occupiers of The Barn, 167 Alwoodley Lane, the property to the east of the application site and from the occupiers of 139 Alwoodley Lane the property to the west of 141 Alwoodley Lane.

The comments raised were provided to Members as follows along with the comments from officers in response:

- Still represents an over dominance;
- Makes reference to previous appeal decision and reference to the footprint of the current proposal being 11% larger than the building that was the subject of the appeal decision
 - This simplistic comparison of floorspace does not take into account the significant changes to the form of the proposal. The previous proposal that was subject to the appeal was a much blockier, modernist approach proposal with a flat roof whereas this proposal with a pitched roof and garage at ground level rather than undercroft. Parking which would help reduce the footprint, the scheme has to be assessed in the round rather than simplistic mathematical interpretation of the proposal;
- Reference is made to the Householder Design Guide;
 - This document is written primarily to guide existing householders as to what is acceptable in terms of extending exiting properties, it is more proper to apply the advice of the

- SPG Neighbourhoods for living which has been applied in the assessment in the report;
- Reference made to lack of consultation by developer with local residents;
 - There is no absolute requirement for this to take place as desirable as such consultation is the lack of it prior to submission does not weigh heavy in the decision making process;
 - Amendment seek to hide blatant disregard to planning taken from outset;
 - Increase in height although reduced is still 2.0 metres higher than existing dwelling currently on site;
 - This is addressed in the assessment in the report. The proposal has been assessed on its own merits;
 - Creation of an overbearing gable facing 167;
 - Re-iteration of the loss of privacy to 167;
 - Impact on vegetation
 - The planning officers report is a subjective interpretation which is contrary to every other interpretation of material planning consideration
 - Most recent submission so not alter view of objector and simply reinforces that the building will cover and unacceptably large area of the plot;
 - Building projects beyond the rear elevations of neighbouring property
 - Given the case officers obvious support for this development it seems all neighbour comments have been entirely disregarded.

It was noted that the LPA do take into account the local plan and this had been addressed within the submitted report.

Members were provided with the following information:

- The proposal is for a one and a half storey building of traditional design;
- The rear of the property has been reduced in size and massing;
- Alterations have been made to the balcony at the rear so that there is no overlooking onto neighbouring properties;
- The rear looks out onto open vistas of the golf course;
- Skylights to be used in the bedrooms;
- Windows to the side elevation to be conditioned that these are obscure glazed;
- The current screening of vegetation to the side boundary to remain.

The Chair informed the Panel that he had been contacted directly by 2 objectors to the scheme prior to the meeting.

Members noted that consultation closed after the date of publication of the agenda for the meeting.

Two of the neighbours were present at the meeting and provided the following points to the Panel:

- 3 planning applications for this site have previously been refused and there is no difference to this one;
- 11% larger than previous application;
- Overbearing and foreboding development;
- Their agent had tried to make contact with the applicant but had no success;
- The proposed property would impact on the lives of the neighbours and their children;
- 17 residents have objected and feel that their objections have been ignored;
- Of the view that this application is in contradiction with a number of policies.

Responding to Members questions the Panel were given the following information;

- The garage is not a problem it is the size of the house that is of concern as it will be so prominent;
- The size of the property will take away the character from Alwoodley Lane;
- They do accept that the applicant has made significant changes, however they would suggest that the property is brought in line with neighbouring properties;
- There has been no consultation with neighbours.

Mr Taylor the applicant attended and spoke to the Panel advising them of the following points:

- The vegetation to the east side boundary will remain;
- He had received a torrent of objections since his next door neighbour had sent a letter to other neighbours, some of the objections are duplicated;
- Mr Taylor said that he had received no request for their agent if he had he would happily have met with him;
- Mr Taylor said that he had engaged with the local ward Member Cllr. Buckley and with the Parish Council with a positive outcome;
- Mr Taylor said that he had in the Alwoodley area all his life.

Responding to Member questions Mr Taylor informed the Panel of the following:

- The size has been reduced, alterations made to the balcony so as not to overlook neighbours, the build will be energy efficient and the hedges will be staying;
- The balcony will be used to sit and watchers the golfers and the sunset;
- His wife is also an artist and would paint sunsets and scenery from the balcony;
- Needs a large house as he has a large family who all gather together on Friday evenings;
- He would be happy to fill in any gaps of vegetation to the east side boundary.

Member's discussions focussed on the following points:

- Design of the house
- Height of the house
- Boundary treatment
- Character of the area

RESOLVED – Members agreed the officer recommendation to grant planning permission subject to the conditions set out in the report with the imposition of an additional condition:

- Enhancement of planting to the common boundary with No. 141 Alwoodley Lane (to fill in the gaps in planting along that boundary)

11 APPLICATION 18/01609/FU DEMOLITION OF BRAMHAM HOUSE, RETENTION OF FRONT FACADE AND REDEVELOPMENT TO FORM CARE HOME, WITH 8 CLOSE-CARE DWELLINGS, 6 CLOSE-CARE APARTMENTS AND 10 DETACHED HOUSES, LAYING OUT OF ACCESS ROAD AND NEW VEHICLE ACCESS TO FREELY LANE BRAMHAM HOUSE BOWCLIFFE ROAD BRAMHAM WETHERBY LS23 6QY

The report of the Chief Planning Officer for an application to demolish Bramham House, retention of front façade and redevelopment to for care home, with 8 close care dwellings, 6 close care apartments and 10 detached houses, laying out of access road and new vehicle access to Freely Lane at Bramham House, land between Bowcliffe Road and Freely Lane, Bramham, which had previously been reported to Panel and been recommended for approval.

Members were advised that the proposal was the same. However, there had been a change in policy for green space provision within the Core Strategy and the contribution for the developers had been calculated wrongly.

Members were informed that 4 additional representations had been received 3 from local residents with one resident sending in multiple comments and 1 from Aberdeenshire from a relation of the owners of Bramham House.

The issues raised were provided to the panel as follows:

- Site has poor accessibility, has steep gradient, particular to public transport; New residential gardens backing onto an existing garden and do not agree with officer that it would have an extremely limited impact on living conditions, and thus would result in loss of privacy;
- People would be able to walk past the front of the house due to a new footpath;
- Increased traffic and pollution;
- Impact on pedestrians using Freely Lane and accessing the playground;
- Freely Lane should become one way, have a 20mph limited with speed bumps;

- Bramham House should be restored and converted to a private house, apartments, or hotel or offices. Being derelict is not a case for demolition;
- Impact on ecology and biodiversity;
- Concerns over extent of tree loss;
- Impact from noise and inconsistencies contained within the applicants noise report, with particular concern over noise levels in the garden of Braham House, Care home should be on northern part of site and orientation change;
- Increase in surface water run-off;
- Concerns whether the right mix and homes meet current and future needs;
- Concerns over use of condenser gas boilers in every house. A wood chip fuel heating system should be used;
- Concerns whether the development will be well designed;
- Does the village have enough people who need this facility;
- Close care housing is no substitute for affordable housing.

Supplementary information had been circulated to all Panel Members prior to the meeting in relation to comments received from one local resident and in addition to 35 separate representations listed on public access.

Cllr. Lamb attended the meeting and spoke to the Panel advising them of the following points:

- He was a supporter of this scheme and was of the view that it would meet the needs of the community. However, he explained that the area was challenging which was why the building and land had stood empty for so long;
- The area needs the contribution to green space;
- The type of residents who would be using this development would find the topography difficult to access;
- The community had already been asked to consider improvements to the village on the previously suggested amount. To find that they were now only going to receive a quarter of the amount was a 'slap in the face'.

Mr Windress the agent was also at the meeting and explained that the scheme was policy compliant.

Members noted that the error in calculating the contribution was on the part of the Council not the applicant.

Members as part of their considerations discussed the following points:

- The loss of trees
- Planting scheme
- Log burners
- Community Infrastructure Levy (CIL)
- H10 accessibility
- Green space provision

- Affordable housing provision
- Energy efficiency

RESOLVED – Members resolved to agree the officer recommendation to defer and delegate approval to officers subject to:

- The prior completion of a legal agreement to secure 58% affordable housing provision, a greenspace contribution of £29,222.61, a bus card contribution of £4,950 and local employment initiatives;
- The conditions set out on pages 71 and 73 of the submitted report.

In addition Members resolved that:

- The condition to secure use of 10% of renewable energy sources be amended to include a requirement to achieve CO2 emissions of 20% below the requirements set out in the Building Regulations;
- Add a condition to require compliance with water standard in respect of individual usage;
- A condition be imposed requiring details of the design and access arrangements to the on-site greenspace to be submitted and agreed.

Ward Members are to be consulted on details submitted pursuant to the on-site greenspace provision condition. If ward members raise objections to the details submitted pursuant to that condition those details, and the discharge of the condition, shall be reported to Plans Panel for determination.

12 Date and Time of Next Meeting

The next meeting of the North and East Plans Panel will be on Thursday 25th July 2019, at 1.30pm.