

NORTH AND EAST PLANS PANEL

THURSDAY, 24TH OCTOBER, 2019

PRESENT: Councillor K Ritchie in the Chair

Councillors R Grahame, D Jenkins,
E Nash, N Sharpe, M Midgley, T Smith,
J Shemilt and R. Stephenson

SITE VISITS

The site visits earlier in the day were attended by Councillors, Ritchie, Sharpe, Smith, Nash and Midgely.

CHAIRS COMMENT

The Chair paid tribute and respects to the Late Cllr. Wilkinson who had sadly passed away a few weeks earlier. He said that Cllr. Wilkinson had been a valued member of the North and East Plans Panel in the previous municipal year and had brought commitment and knowledge to the process in supporting his residents.

The Chair said that although Cllr. Wilkinson had been in a different political group he had respected his views, his opinions and his commitment to his community. He would be a sad loss to his group colleagues and the community.

The Panel paid their respects with a minute silence.

44 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

45 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

46 Late Items

There were no late items.

47 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made.

48 Apologies for Absence

Apologies have been received from Cllrs. Anderson and Collins.

Cllr. Shemilt attended the meeting on behalf of Cllr. Anderson and Cllr. Stephenson attended the meeting as Cllr. Collins' substitute.

49 Minutes

RESOLVED – That the minutes of the meeting held on 26th September 2019, be approved as a correct record.

50 19/03390/FU TWO STOREY EXTENSION TO REAR AT 9 THE LAURELS GLEDHOW LEEDS LS8 1PD

The report of the Chief Planning Officer set out an application for a two storey extension to the rear at 9 The Laurels, Gledhow, Leeds, LS8 1PD.

The application had been brought to the Plans Panel for consideration by Cllr. Wenham, Ward Member for Roundhay. Her reasons were the overbearing nature of the extension being out of character for the street, loss of privacy for occupiers of adjacent properties, parking, and loss of light for adjacent properties.

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

The proposal was for a two storey extension to the rear of the property, to allow for a dining room on the ground floor and enlarging a bedroom on the first floor. The extension proposes a pitched roof with a maximum height of 6.40 metres. The single storey element of the proposal would have a lean to roof with a maximum height of 2.80 metres.

Bi-folding doors are proposed to the rear elevation from the dining room, with two small windows to the first floor serving the bedrooms. It is also proposed that the existing kitchen door is replaced with a window. It is proposed that all materials will match the existing house.

The property is located within a cul-de-sac of about 12 dwellings built in the 1980's. The dwellings in the area are of a similar style and design. It was noted that numerous properties benefitted from a single storey rear extension.

A number of objections had been received and the details were set out at point 6.0 of the submitted report.

Members were advised of the following key points:

- An earlier proposal had been higher however, subsequent negotiations had now seen the extension reduced in height;
- The ground floor element is proposed to be slightly wider than the first floor part of the extension;
- The two windows to the first floor will serve a bedroom;
- Neighbours at number 11 have extended their property with a single storey extension to the rear, The neighbours of number 11 have requested that attention be drawn to the fact that the applicant would be able to look through the roof windows into their dining room;
- Graphics were shown to provide clarity for Members on the issue of overshadowing explaining the direction of travel of the sun through summer and winter months;

- Officers were of the view that the proposed extension would not have an impact on neighbours in relation to overshadowing, over massing and bulk, or privacy;
- Members were advised that the applicant was on holiday but had sent in a submission which was read out to the Panel with these key points noted:
 - No windows directly overlooking neighbours properties;
 - He has a growing family;
 - This proposal would not increase parking in the area;
 - All materials would be in keeping with the property and the area;
 - He had taken the initiative to engage with his neighbours and he was upset that his neighbours wished to stop his application.

The neighbours at number 11 had raised queries in relation to the measurements set out in the submitted report at points 2.2, 10.8, and 10.9. The presenting officer addressed these queries during his presentation to the Panel.

The residents of numbers 7 and 11 The Laurels attended the Panel and informed the Members of their concerns:

- This is a cul-de-sac of 12 houses none of which have a two storey extension;
- The applicant had informed neighbours that the extension was to enable his in-laws to move in. The in-laws would have a car of their own therefore, there would be an increase in parking. The applicant already parks his car on the pavement in the turning head of the cul-de-sac;
- The two storey extension would impact on the use of the garden at number 7 due to overshadowing;
- The two storey extension would impact on the use of the garden at number 11 due to loss of privacy;
- The applicant had told neighbours earlier in the year that the extension was for a kitchen and dining room.

Responding to Members question the Panel were provided with the following information:

- There has always been a conservatory at number 11 since the current residents had lived at the property;
- The neighbours were particularly concerned with the overshadowing aspect of the build with specific reference to no 7 who were of the view that they would have to use their lights if they were in their extension as there was only one window which over looked the back garden;
- There are already parking issues in the cul-de-sac;
- Residents of The Laurels were only made aware that the two storey extension was proposed by receipt of the Council Application letter dated 8 July.

It was noted the previously obscure glazed window to the rear of the applicant's property would now be serving a bedroom and this could be a

reason as to why it was perceived that there would be an issue with overlooking. It was also noted that due to the design of the properties on the Laurels there was an off-setting of the properties.

Members were advised of planning policy in relation to parking spaces and it was noted that the property was compliant with sufficient parking for 2 cars as the dwelling would still be a 3 bed property.

RESOLVED –To grant planning permission in accordance with the officer recommendation.

51 19/03172/FU PART SINGLE STOREY, PART TWO STOREY EXTENSION WITH THREE AIR CONDITIONING UNITS TO SIDE 152 STAINBECK LANE MEANWOOD LEEDS LS7 2EA

Chief Planning Officer's report requested the Panel give consideration to an application for a part single storey, part two storey extension with three air conditioning units to the front of the property at 152, Stainbeck Lane, Meanwood, Leeds, LS7 2EA.

Officers' recommendation was for refusal and the reasons for refusal were set out in the submitted report

Members were informed of the proposal as set out at point 2 of the submitted report. The applicant requires additional bedrooms for his growing family and the storage space and the air conditioning units are in connection with the retail business.

Members were advised that the application had received four letters of objection the concerns raised were set out at point 6.3 of the report. Members were advised that the application had been brought to Plans Panel by Cllr. Hamilton who had written in support of the application. Cllr. Hamilton stated that she had looked at the plans and could see no reason for refusal. Her reasons for supporting the application were documented within the report.

The Panel were provided with the following key points:

- Concerns had been raised in relation to the noise from the air conditioning units. It is proposed that the units would be located to the front of the property, they would be screened so not visible from the road;
- The current air conditioning units are the subject of an enforcement order in relation to noise;
- There are no design issues with the proposed extension;
- Residential properties are at least 5 metres away from the proposed extension;
- Noise from the air conditioning units would probably only be a problem for the resident on the first floor flat who is currently the applicant, and the occupier of the commercial unit. Members were advised that a

condition could be added that the occupancy of the first floor flat could be restricted to the owner occupier of the commercial unit;

- It was noted that 42 Carrholm Road may also suffer some noise issues from the units as it is directly across the road from the premises. A letter of support had been received from the occupiers of number 42 Carrholm Road who were in support of the location of the air conditioning units. The letter also supported the extension highlighting its benefits to the street and the community as it offers a retail service within walking distance of local residents and creates jobs;
- The proposal set out a mass of walling which would extend the full length of 152 and over dominate the property at 150, it was the view that the extension would cause overshadowing during daylight hours.

The resident of 150 Stainbeck Lane was at the meeting and informed the Panel of her concerns:

- Members attention was drawn to 4.1 of the report which provided relevant history and showed that previous applications had been refused;
- The extension would cause over dominance and overshadowing to her property. There would be a loss of light to the dining room and the bedroom and they would have to switch on lights to use these rooms even during daylight hours;
- The garden would suffer from damage due to overshadowing and an established seating area would become unusable;
- The occupier of 150 also queried the red line boundary and ownership of the land.

The applicant's relative attended the meeting and informed the Panel of the following points:

- This had been a family business since the 1980's providing a local community store;
- There was a need to extend as storage was required to ensure that the business could be maintained;
- The store employ local people from the area and one of those employees is disabled and is unable to access the store room in its current position on the first floor;
- The family wish to continue living above the premises and as the family grows there is a need for more rooms and space. The panel were informed that the son who is currently at university will soon finish his course and want to return home. He currently resides with his grandma when he is on leave;
- Members were advised that it was owned by the parents and it was the speaker's brother who ran the family business currently.

The architect was invited to the table to answer questions, his answers were as follows:

- The land within the red line boundary was in the ownership of the applicant;

- Alternative plans had been considered in relation to layout of rooms. However, it was not permissible to extend to the front of the premises so the bedrooms need to be in an extension at the side;
- A loft conversion had not been offered for consideration.

In Members discussions they were sympathetic to the applicant who was trying to continue to run a sustainable business and bring up a growing family. However, they were mindful of the impact on the neighbours and were of the view that 7 metres of extension was unacceptable especially as the garden of 150 was so small.

Members were advised that enforcement action in relation to the noise of the air conditioning units would continue.

RESOLVED – To refuse planning permission in accordance with the officer recommendation (harm to residential amenity of neighbouring residents by reason of the scale and siting of the extension).

52 19/05155/FU VARIATION OF CONDITION 1 (TEMPORARY TIME LIMIT) OF PLANNING PERMISSION 16/03394/FU FOR THE RETENTION OF 84 CARAVANS IN CONNECTION WITH AN EXISTING SOFT FRUIT FARM STURTON GRANGE FARM RIDGE ROAD MICKLEFIELD LEEDS LS25 4DZ

The report of the Chief Planning Officer set out an application for the variation of condition 1 (temporary time limit) of planning permission 16/03394/FU for the retention of 84 caravans in connection with an existing soft fruit farm at Sturton Grange Farm, Ridge Road, Micklefield.

Photographs and plans were shown during the presentation.

The Panel were informed of the following points:

- This was a renewal of a permission for 84 caravans used for the accommodation of seasonal workers primarily from the EU. The special circumstances of the permission were set out in the submitted report;
- The site also has the benefit of an amenity building which includes a shop, internet and social buildings;
- The fruit farm operates a Spanish style of growing using poly tunnels;
- Workers have access into Garforth;
- The permission has been in place since 2008;
- The caravans have 3 bedrooms, own bathroom and kitchen;
- From Garforth there is a limited view of the caravan site.

Members' attention was drawn to the fact that since the previous application 3 more caravans have appeared on the site but this would be dealt with by a separate application.

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

- Condition 4 – the caravans would only be occupied by seasonal workers;
- As set out at 10.9 of the submitted report this permission was time-limited. However, if Members were so minded this could be changed to a longer period and a condition put in place so that if the operation ceases the owner would be required to remove the caravans;
- The quality of the accommodation within the caravans is not routinely checked. However, Members heard that there is a concord in place under the licensing regime.

Members were pleased that this area has provision for growing soft fruit and in this time of climate emergency it was reducing transportation. The Panel wished the fruit farm good luck, especially as they were aware of difficulties in employing seasonal workers.

Cllr. Stephenson moved to amend the recommendation to include a caveat to be added in relation to a temporary permission for 6 years. Cllr. Nash seconded the amended, this was then put to the vote.

RESOLVED – Members resolved to defer and delegate the grant of planning permission to officers subject to the application first being referred to the Secretary of State for his consideration.

Members also resolved that the temporary period for the permission be for 6 years and that the condition be imposed that requires the removal of the caravans from the site upon the cessation of an agricultural use that relies on seasonal workers.

53 Date and Time of Next Meeting

The next meeting of North and East Plans Panel will be on 28th November 2019, at 1.30pm.