



**Leeds**  
CITY COUNCIL

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**Report of the Chief Planning Officer**

***PLANS PANEL SOUTH AND WEST***

**Date: 6<sup>th</sup> August 2015**

**Subject: Application 14/06007/FU – Mixed use development comprising sports hall, community facility, and associated offices; change of use of existing office building to a temporary community use during building works at 49 Barkly Road, Cross Flatts, Leeds, LS11 7EW.**

**APPLICANT**

Aspiring Communities

**DATE VALID**

22<sup>nd</sup> October 2014

**TARGET DATE**

1<sup>st</sup> April 2015

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**Electoral Wards Affected:** Beeston and Holbeck

Yes

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

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**RECOMMENDATION:**

**REFUSE permission for the following reasons:**

1. The proposal due to its size, floor space and the range of uses proposed, within multi-purpose rooms has the capacity and potential to accommodate large numbers of people on a regular basis, and to generate significant levels of traffic and parking demand as a result. The amount of off-street parking proposed within the site is not considered sufficient to cater for this capacity and the range of uses, and the proposed basement level of parking is unlikely to be used in reality by many of the visitors frequenting the premises for short stay prayer visits. It is also not considered that any impacts in this respect could be adequately controlled by conditions that would meet the tests in the NPPF. It is therefore considered that the proposed development would be likely to cause additional on-street parking on nearby streets, obstructing accesses and visibility at junctions, and restricting the two-way flow of traffic on some streets, to the detriment of highway and pedestrian safety. The development is therefore considered to be contrary to policies GP5, T2 and T24 of the Leeds Core Strategy and the guidance in the NPPF and the NPPG.

2. The additional levels of traffic and on-street parking associated with the development would result in a significant increase in disruption and inconvenience to local residents on a regular basis, including the obstruction of junctions and local roads. The cumulative effect of this, along with the impacts of the actual excavation and construction works required to form the basement level of parking which would include high levels of noise, dust, vibrations and HGV vehicles movements is considered to have a significant adverse impact on the living conditions on residents living around the site, contrary to policies GP5 and BD5 of the Leeds Core Strategy and the guidance in the NPPF.

## 1.0 INTRODUCTION:

- 1.1 This application is brought to the panel due to the large numbers of representations, both in support and in objection to the proposals, including political interest from Local Members and MP.
- 1.2 The Local Planning Authority has been in discussions with the applicants since this application was submitted, in an attempt to resolve the concerns which mainly relate to highway and parking matters (which also led to the 2013 scheme being withdrawn by the applicants). These issues still remain unresolved, some ten months since its submission and the application is now brought to the Panel Members for a decision.

## 2.0 PROPOSAL:

### Uses

- 2.1 Full permission is sought for a multi-purpose building incorporating a number of functions, including spaces for community use, a sports hall and changing areas, a learning centre, prayer facilities, a number of small ancillary offices and a caretaker's flat.
- 2.2 The proposal accommodation is arranged in the following format floor by floor.

### Ground Floor

Sports Hall (619 sq m), Kitchen (10 sq m), 2 Equipment Stores (16.5 sq m each), Administration office, Toilets, Changing rooms, Main Lobby entrance to the building, and Sports Hall entrance. 2 main circulation cores with staircases.

### First Floor

Void above Sports Hall, 2 Plants Rooms (117 sq m and 142 sq m), Maintenance Store and stairwells

### Second Floor

Prayer Area (343 sq m), Multi Faith Centre (70 sq m), 2 class rooms (59 sq m and 78 sq m), Kitchen, 2 Meeting rooms (27 sq m), toilets and Showers (74 sq m), Office, and Circulation Corridors.

- 2.3 The various uses proposed are set out in the table below, based on the details submitted as part of the application:

Use	Area(s)	Uses and capacity and/or visitor/staff numbers	Frequency/hours of use
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Sports Centre	<ul style="list-style-type: none"> <li>• 619m<sup>2</sup> sports hall.</li> <li>• Male and female changing areas and admin office</li> <li>• Viewing area for spectators on first floor (FF)</li> </ul>	<ul style="list-style-type: none"> <li>• Sports such as badminton, cricket, basketball, football, 5-a-side etc.</li> <li>• Visitor numbers up to 50 people at peak times.</li> </ul>	<ul style="list-style-type: none"> <li>• 9am-10pm</li> <li>• 7 days a week</li> <li>• Peak period weekends.</li> <li>• Hall would be closed during Friday afternoon and evening prayer times,</li> </ul>
Prayer facility	<ul style="list-style-type: none"> <li>• 343m<sup>2</sup> second floor prayer hall</li> <li>• Washing and ablutions facilities.</li> <li>• Use of part of this area for funerals.</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity of room would allow up to 250 worshippers, but applicants anticipate: <ul style="list-style-type: none"> <li>○ Fewer than 50 people at most prayer times.</li> <li>○ Up to 250 people for Friday Prayer</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Prayer times throughout the day. Centre open 8am-10pm.</li> <li>• Busiest periods likely to be evenings and Fridays (lunchtime and evening).</li> </ul>
Multi-faith Centre and Youth Skills Classrooms	3 rooms on 2 <sup>nd</sup> floor 70sqm, 78 sq m, and 59 sq m.	<ul style="list-style-type: none"> <li>• 40 people</li> </ul>	<ul style="list-style-type: none"> <li>• 4.30pm – 7.30pm</li> <li>• Monday to Thursday</li> </ul>
Administration and General Office	<ul style="list-style-type: none"> <li>• 8am – 10pm</li> </ul>	<ul style="list-style-type: none"> <li>• 8</li> </ul>	

#### 2.4 Access and Parking

It is proposed to have the main parking areas to the front and north-eastern side of the building. These areas would provide 99 parking spaces, 6 of which are for disabled visitors.

2.5 An under-croft basement level of parking is also proposed which is situated under the building and external parking areas. The access ramp to this level is located adjacent to the north-western wide of the building and provides another 61 parking spaces.

#### Design

2.6 The largest of the former factory buildings in the north western corner of the site is proposed to be retained to house the sports hall, which would be a double-height space occupying the ground and first floor levels. New extensions to the front and north-eastern side of this building are proposed which will effectively wrap around this existing building in an L-shape, giving it new elevations to these two sides.

2.7 The submitted details indicate that these buildings are to be clad with brick, and their roofs replaced either re-using the existing materials or re-cladding to match. Photovoltaic panels are proposed to the roof of the sports hall building. A series of new windows are proposed to the building to all elevations. The roof of the main building is also to be covered in solar panels, upon the slopes which face south-east, at a pitch of 10 degrees.

2.8 The proposed Prayer Hall is located at 2<sup>nd</sup> floor level and is located both within the existing building (above the sports hall) and partly within the new extensions. The new extensions house the ancillary areas such as the offices, and toilets. This is

proposed to be constructed in brick, with sections of Ashlar to the upper floors. The application has also been supported by a Lighting scheme, and full details of boundary treatments.

#### Phasing of the development

2.9 The applicants have confirmed that if permission is granted the development is likely to be phased. During the initial phases, the former office building in the front part of the site is proposed to be refurbished used to provide temporary accommodation in the form of two community rooms (173m<sup>2</sup> and 73m<sup>2</sup>), a meeting room (20m<sup>2</sup>), caretaker's flat and ancillary kitchen, storage, toilet and washing areas. Part of the building would also be used for construction storage and office. The agents have stated the potential uses of these community rooms would be for youth and adult education classes, community meetings, and multi-faith activities and workshops.

2.10 Permission is sought as part of the application for this temporary use, it is not clear how many people would occupy this building at any one time. This building would eventually be demolished following completion of the proposed full scheme, and the applicants have confirmed that no part of the new/converted buildings would be brought into use until the former office building is demolished and the parking spaces have been laid out.

#### Submitted documents

2.11 In addition to the plans and elevations and the Travel plans referred to above, the following documents have been submitted as part of the application:

- Transport Statement
- Neighbourhood consultation statement
- Contaminated land reports
- Details of a steering group which has been established and which includes representatives from a number of local groups and organisations.
- Energy statement
- Landscaping Scheme
- Phasing and Demolition Plan
- Sequential Test of Alternative sites for Sports Centre

### **3.0 SITE AND SURROUNDINGS:**

3.1 The proposals relate to a former frozen food packaging factory on Barkly Road in Beeston, which is made up of a number of buildings of varying sizes and functions, including large two and three storey metal clad industrial buildings in the rear parts of the site and a two storey brick-built office building to the front. The buildings have been vacant for some time, and following safety concerns parts of the central section of buildings which connected the rear sections to the office building have now been demolished.

3.2 The site has 2 vehicular entrances from Barkly Road to the front (south west) and a third from the corner of Firth Road and Wooler Drive in the rear (eastern) part of the site. The buildings are surrounded by hardstanding, and the site is enclosed by a mix of brick walls to the front, with metal and wire mesh fencing to the sides and rear, there are also some areas of boundary planting including a row of high conifer trees alongside the public footpath which runs to the north west of the site.

- 3.3 The surrounding area is mixed in character and includes residential and commercial uses. There are other industrial premises either side of the site, similar in character to those on the site. These include a factory to the south west made up of a series of predominantly single storey brick and blockwork industrial buildings with a two storey office block to the front of the site, and a single storey commercial garage and other single and two storey workshop buildings to the north west. To the north west of the rear part of the site, on the opposite side of the public footpath, are the playing fields of St Anthony's primary school, whose entrance is around 70m further along Barkly Road from the application site.
- 3.4 The site is also surrounded to the front and rear by a mix of detached and semi-detached houses, and some terraced housing on Firth Road to the east. The nearest residential properties to the site are those on Wooler Avenue to the rear. The nearest properties to the front part of the site are on the opposite side of Barkly Road around 20m from the site boundary to the south west.

#### **4.0 RELEVANT PLANNING HISTORY:**

- 4.1 A previous application for a similar proposal which included a catering facility (13/05214/FU) was withdrawn by the applicants on 24<sup>th</sup> March 2014, following Officer concerns relating to a lack of parking, intensification of the use of the site, and uncertainty on how exactly the building would be used, managed and operated.
- 4.2 Prior approval was sought in late 2011 for the demolition of the buildings on the site, and a determination was issued in December 2011 confirming that such works could take place (application 11/04760/DEM). Whilst this grants approval for the demolition of all buildings on the site, some are to be retained and converted as part of the proposals.
- 4.3 Outline permission for residential development on the site has previously been granted, in August 2006 (21/366/05/OT) and in March 2011 (10/03010/OT).
- 4.4 Application H21/57/84/, approved in May 1984, granted permission for extensions to form a cold store, plant room, dispatch and delivery bays in the rear part of the site. This permission was subject to a condition restricting hours of work (including the loading and unloading of vehicles) to between 8am and 6pm Monday to Friday and 8am – 12 midday on Saturdays, and preventing any works on a Sunday. A separate condition prevented refrigerated vehicles from operating their refrigeration motors whilst parked on the site outside these approved hours of work.
- 4.5 All other historical applications relate to smaller extensions and alterations to the factory premises but are not of specific relevance to the consideration of the current proposals.
- 4.5 During the operation of the former B2 factory use, there were records of complaints received by the local planning authority from residents to the rear of the site in relation to non-compliance with the relevant conditions regarding the hours of works on site, and the parking of delivery vehicles on surrounding streets while awaiting their allotted delivery times.

#### **5.0 HISTORY OF NEGOTIATIONS:**

- 5.1 Pre-application discussions originally commenced in March 2012, and included numerous meetings involving the applicant and their agent and planning, highways

and design officers. The design and layout of the buildings evolved considerably over this period to reflect the aspirations of the applicants and the advice provided by design officers, and further information was sought at various points regarding the proposed use of the buildings, access arrangements, visitor numbers, hours of use, and travel planning measures.

5.2 Following the pre-application presentation to Plans Panel in June 2013, further discussion took place with the applicants, focusing mainly on the details required to support an application, including details to address concerns raised by officers and Members regarding the highway implications and design of the proposals. The first application which was withdrawn, was submitted in November 2013

5.3 A neighbourhood consultation statement was submitted by the applicant, which provides details of the consultation carried out by them prior to the submission of the previous 2014 application. As well as discussions with the local planning authority, the statement advises that the applicants carried out consultation in the local area around the site with the following groups:

- Neighbours and residents of Barkly Road and surrounding streets.
- The Beeston Forum.
- Leeds Faith Forum.
- Hamara Centre in Leeds.
- Local schools
- Local churches
- NAYA (Naqshbandia Arshadia Youth Alliance)
- BAFF (Beeston Action for Families)
- Local police and support officers.
- Local Councillors and Hillary Benn MP.

## **6.0 PUBLIC/LOCAL RESPONSE:**

### Ward Members

6.1 The Ward Members, Councillors Congreve, Gabriel and Ogilvie have all objected individually to the application, raising the following concerns:

- Concern that the proposal will be used as a national, not local centre, no evidence has been submitted to illustrate local need.
- Lack of clarity about number of people using the proposal and likelihood many will travel by car, congesting adjacent residential streets.
- Parking close to junctions would affect visibility and highway safety.
- Implications for residential amenity from additional on-street parking.
- Site is located in a quiet residential area.
- Concerns over additional noise and pollution.

### MP

6.3 Hilary Benn, the MP for the area, has also objected to the application on the following grounds.

- No evidence has been submitted that the proposed facility is aimed at local people.
- Lack of clarity about number of people who would use the building.
- Concern a large number of visitors will be outside the local area and travel by car.

- Existing parking problems on adjacent streets already exist, due to proximity to Elland Road, no capacity for additional street parking.
- Record of traffic accidents locally, the proposal will pose a further risk to highway safety.
- Proposal will cause additional noise and pollution.

#### Beeston Community Forum

6.4 Object to the application on the following grounds:

- Although plans have been 'scaled down' scheme is too large and intensive for this site.
- Visitors are more likely to park on adjacent streets, than use the proposed underground car park, especially on short-stay visits.
- People arriving/ leaving at the same time will cause congestion.
- Large events and lack of sufficient parking within the site likely to lead to greater incidence of on-street parking – visitors more likely to travel by car than public transport or walking across the park (particularly late at night). Unclear how single-occupancy car use would be discouraged.
- Additional traffic – concerns regarding safety of children attending nearby primary school.
- Additional pollution – impact on health of residents.
- Development would duplicate existing office and leisure provision and could threaten viability of existing facilities.
- Concerns that development has been 'parachuted' into the area without consultation with community, and about how possible lack of community representation on management committee for the Centre.
- No details provided of sports or skills training programmes.
- Concern some letters of support are 'fake' using names and address which do not exist.
- Site should be developed for new housing.

#### Other public responses

6.5 The application has been advertised as a major application by press notice, published 13th November 2014, and by site notice. Site notices for the application were originally posted at various points on streets surrounding the site on 5<sup>th</sup> December 2014. Further notices were posted adjacent to the site on 25<sup>th</sup> June 2015 advertising the amendments to the elevations.

6.6 To date approximately 80 individual letters of objection have been received to the application. Approximately 2610 further letters of objection have been received to the application; however these objections are printed on repeated standards letters, which have been circulated and have only been signed by a particular individual. These letters are considered to be a petition to the scheme, as they are not individual objections, making different points. The points raised by the objections are highlighted below.

- Amendments do not fully address previous objections
- Proposed under-croft car park is not practical
- Unclear how an under-croft car park can be built, without significant engineering works and cost, under an existing building/s.
- Increased traffic will worsen existing traffic and access problems on surrounding roads, many of which are narrow and have existing traffic calming measures. Problems have worsened in this respect as a result of other recent developments nearby. Concerns regarding access for

emergency vehicles. Permission recently refused for a Tesco on Old Lane nearby due to increased traffic.

- Insufficient parking within the site – will add to existing on-street parking problems in the area, particularly on match days at Elland Road and at peak times. Applicant's traffic assessment acknowledges this will occur.
- No space for coaches to turn within the site, meaning they would have to reverse onto Barkly Road – obstructing traffic and causing safety problems.
- Details advise that many people using the Centre will walk or use public transport, but site is some distance from bus stops, services are unreliable, and people are reluctant to walk across areas such as Cross Flatts Park in the dark. Large amount of parking provision suggests most visitors expected to travel by car.
- Concern that large annual events would not be held at the same time as match days at Elland Road, but no details of how this would be managed.
- Inconsistencies and inaccuracies in applicant's transport statement, concerns regarding certain aspects of survey methodology.
- Safety of pedestrians, including children at 2 nearby primary schools – St Anthony's (adjacent to the site) and Hugh Gaitskill.
- Building too large, design is out of character and minaret too high.
- Increase in noise as a result of large numbers of visitors (particularly to Friday prayers) and late opening hours. Former factory had restrictions on delivery hours.
- Long opening hours
- Rear entrance to catering facility would bring traffic through narrow residential streets and cause noise and disturbance to neighbouring properties.
- Potential for noise if minaret is to be used for calls to prayer.
- Noise and disturbance during construction.
- Overlooking of neighbouring gardens and school playing fields – loss of privacy for residents and for children attending neighbouring school.
- Potential for noise, odour and vermin associated with catering business. No noise report submitted with the application.
- Pollution and litter.
- Problems experienced in association with former food packaging factory use in terms of traffic and noise will re-commence.
- Lack of provision for disabled visitors to sports centre.
- Uncertainty over how the building will actually be used, this can't be controlled.
- Would facilities be open to all members of the community? Implications for community cohesion if not.
- Lack of community consultation by developers.
- Potential for change of use to a mosque.
- It does not appear that applicants currently have the funds to complete the development – concern that site could be left incomplete for lengthy period, with associated disruption and parking problems for residents.
- Potential increase in crime and antisocial behaviour. Existing problems associated with footpath adjacent to the site.
- Many of support letters received are from people who live outside the Leeds area, who are not familiar with the area and will not be affected by the traffic and noise associated with the proposed Centre.
- Large numbers of duplicate support comments could give appearance of greater support than there actually is.
- Lack of need for facility – other places of worship, sports/community facilities and catering facilities nearby. Concern regarding impact of development on

viability of existing facilities. South Leeds Sports Centre recently closed due to lack of demand.

- Developers' funds might be better used in helping existing local charities and organisations instead of duplicating existing provision.
- Site should be developed for affordable housing, which is needed in the area, or play facilities for local children. Site has already had planning permission for affordable housing.
- History of other developments being approved locally for the wider benefit of the city but with little concern for local residents. No consideration given to cumulative impact of these developments.
- Some works have already been carried out at the site. Concerns that removal of asbestos from the buildings has not been done correctly.
- Someone appears to be living on the site. Has permission been granted for this?
- Impact on property values.
- Conflicting information regarding its use, information on internet suggests the proposal is a national centre and not a local facility aimed at local people.

6.8 To date approximately 68 individual letters of support have been received to the application. Approximately a further 650 'batch' letters of support have been received to the application. These letters of support (like the 'batch' objections) have too been photocopied, and circulated to people to endorse, by putting their name to the letter. These letters are considered to be a petition to the scheme, as they are not individual objections, making different points. The points raised by the objections are highlighted below.

- Development will help with community cohesion, bringing all groups together through sport and other community facilities, and helping to tackle problems of prejudice, racism, crime, antisocial behaviour etc.
- Will provide much-needed facilities for local people, including young people, for whom facilities are lacking at present.
- Reduction in crime and antisocial behaviour.
- Facilities and opportunities for interaction for older people.
- Health benefits from sports and fitness facilities.
- Large events held in the area by the applicants in recent years have been very successful.
- Site was previously a factory, with heavy goods vehicles and associated danger to pedestrians etc, and noise. Proposals will improve this.
- Employment opportunities and career guidance.
- There may be a need for affordable housing, but the site has been vacant for a considerable period of time, with no interest from housebuilders wishing to develop it for this purpose, and with associated problems associated with its vacancy and dereliction. Bringing the site back into use will be of benefit to the area.
- Central hub within the community.
- Social benefits of centre that will give local people somewhere to meet new people.
- Facilities for other charities.
- Environmental benefits of bringing disused site/building, which is prone to vandalism, back into use.
- Minaret adds interest and balances the appearance of the building.
- Centre is attractively designed and will enhance the area.

- Applicants have gone to great lengths to consult with local people, and have formed a steering group including members of various local groups and organisations.
- Transport study indicates that impact will be minimal and parking provision is adequate for most times.
- Will help to address barriers faced by ethnic minorities in terms of accessing community facilities and council services.
- Advice and support services provided by the applicants in other areas, including youth activities and training, healthcare advice and sports facilities have been of great value.

## **7.0 CONSULTATION RESPONSES:**

### **7.1 Highways**

Object to the proposal, due to the lack of parking and consequent impact on highway safety. There is uncertainty regarding the number of visitors who will at peak times be present at the building. The proposed undercroft parking area is unlikely to be used by short-stay visitors at Friday Prayer, as it not easily accessible and due to the likely congestion with other visitors.

### **7.2 Environmental Health**

Have stated the comments they have previously given on the 2013 application and pre-application are relevant. They do not object to the application but have raised concerns regarding activity late in the evening, due to the potential number of people which could be accommodated within the proposal.

### **7.3 Contaminated Land**

No objection subject to conditions requiring further Site Investigation to be carried out.

### **7.4 Public Rights of Way**

A non-definitive footpath runs to the west of the site and links Barkly Road and Wooler Avenue. On the basis of the submitted plans, it appears that the road has been narrowed. Access should be maintained at a minimum of 2.5 metres. A safe pedestrian area may be needed at the turn around area as this could have an adverse effect on pedestrian's public safety. The footpath would benefit from surface improvements, vegetation cut back and street lighting. This would improve pedestrian accessibility and make it more attractive for the public to use.

These improvements should be included in the section 106 agreement and the developers should enter into a Public Path Creation Agreement with Leeds City Council, or speak to highways to see whether they would wish to adopt the footpath. For further information on these issues please contact this office on 0113 382906.

### **7.5 Mains Drainage**

No objections, subject to conditions.

### **7.6 Nature Conservation**

No objection subject to a condition which places a duty for Bat Scoping Survey.

### **7.7 Yorkshire Water**

No objections, subject to conditions.

## 8.0 PLANNING POLICIES:

8.1 Under Section 38 of the Planning and Compulsory Purchase Act 2004, decisions on planning applications must be made in accordance with the development plan unless other material considerations indicate otherwise.

### Development Plan

8.2 The development plan for Leeds is made up of the adopted Leeds Core Strategy 2015 and the Natural Resources and Waste Development Plan Document (DPD), adopted January 2013.

8.3 The site is unallocated in the UDP. The following policies are therefore relevant to the consideration of the application:

GP5 - General planning considerations, including amenity.

SP1 - Location of development

SP4 - Regeneration Priority Programme Areas

EC3 – Safeguarding existing Employment Land and Industrial Areas

P9 - Community Facilities and other Services

P10 - Design

P12- Landscape

T1 - Transport Management

T2 - Accessibility Requirements and New Development

T7 - Cycle Parking Guidelines

T7B – Motor Cycle Parking

T24 – Parking Guidelines

N25 – Development and site boundaries

LD1 – Landscaping

8.4 The following DPD policies are also relevant:

WATER1 – Water efficiency, including incorporation of sustainable drainage

WATER7 – Surface water run-off

LAND1 – Contaminated land

### Supplementary Planning Guidance and Documents

8.7 The following Supplementary Planning Documents (SPDs) are relevant to the consideration of the proposals:

Street Design Guide SPD

Public Transport and Developer Contributions SPD

Travel Plans SPD

'Building for Tomorrow Today': Sustainable Design and Construction SPD.

### National Planning Policy

8.8 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012 and replaces previous Planning Policy Guidance/Statements in setting out the Government's planning policies for England and how these are expected to be applied. One of the key principles at the heart of the Framework is a presumption in favour of Sustainable Development.

8.9 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the

development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.

- 8.10 Supplementary guidance to the NPPF has now been published in the form of the National Planning Policy Guidance (NPPG), replacing all previous supplementary planning guidance, Circulars etc.

## **9.0 MAIN ISSUES**

1. Principle of development
2. Highway safety
3. Visual amenity
4. Residential amenity
5. Equality
6. Community use of the building
7. Other issues

## **10.0 APPRAISAL**

### Principle of development

- 10.1 Policy P9 states that new community facilities should be accessible by foot, cycle or by public transport in the interests of sustainability and health and wellbeing, and should not adversely impact on residential amenity. Although located in a predominantly residential area, the site's immediate surroundings are characterised by a wider range of uses, including industrial and workshop units and a school. Within this context, close to large areas of housing and public transport routes, the principle of providing a sports, religious and educational facility is considered acceptable, subject to an assessment against normal development control considerations, such as design, parking/ highway safety and the impact on nearby residents.
- 10.2 A sequential test has been submitted in support of the application, as the proposed Sports Centre is a leisure(D2) use, which planning policy both at national and local level states should be located within a local centre. The findings of the sequential test are accepted, as there are no available premises within nearby local centres of this scale which could accommodate a new sports centre of this size.
- 10.3 As identified in many of the letters of support which have been received, the provision of community support, sports and educational facilities has the potential to be a significant asset for the local community, the principle of which is supported. However, the scale of the proposed building and the extent of some of the uses proposed and likely visitor numbers have the potential for considerable implications for the locality in terms of traffic generation, additional on-street parking and noise for example. The potential impacts of the development in these respects must be carefully considered and weighed against the benefits in considering whether the proposals are acceptable.
- 10.4 Concerns have been raised regarding the description of the proposed use as a 'sports, teaching and community facility,' and the potential for the building to be used as, or changed into, a mosque without requiring planning permission. Whilst

not specifically described as a religious facility/place of worship, the proposals have been considered on the basis of the submitted plans and statements, which detail the range and nature of uses proposed within the building. The plans do include a prayer hall, and therefore it is clear that the building is to be used for this purpose. The implications of the proposals in terms of highway safety and residential amenity which arise from these potential uses, as well as the other stated uses of the building, have all been taken into account in the consideration of the proposals and are addressed in more detail below.

- 10.5 The site has previously received outline permission for residential development, and it is noted that some local residents have expressed a preference for residential development or a children's play area rather than the development proposed. Although permission may previously have been granted for housing on the site, the site is owned by the current applicants and local planning authority has an obligation to consider the application before it, for an alternative community use, on its own merits and in accordance with current adopted development plan policy and other material considerations.

#### Highways

- 10.6 Many of those writing in objection to the proposals have raised concerns regarding the implications of the development for highway and pedestrian safety in the area, making particular reference to the potential for increases in traffic and on-street parking at certain times, particularly in association with larger weekly functions, Friday prayer times, and other events. At the pre-application Panel presentation in June 2013, Members also raised concerns regarding the scale of the proposals and the potential for additional on-street parking, particularly in relation to existing problems experienced during match days for example.
- 10.7 In considering the implications of the proposed development in terms of traffic, parking and highway safety, regard has to be given to the following matters;
- The size, scale and capacity of the building and the range of uses proposed, including the degree of overlap between these, and which uses would be in operation simultaneously.
  - The details provided in the applicant's transport statement, travel plan and draft management plan, including survey details and information from the TRICS database in relation to the trip rates and modal splits for other similar developments.
  - Whether, if permission was to be granted for the development, any potential impacts could be satisfactorily managed by conditions which would be in accordance with the tests in the NPPF, including preciseness and enforceability.
- 10.8 The proposed building has a floorspace of around 3000m<sup>2</sup>, and is intended to accommodate a wide range of uses. The applicant has provided details of how they propose the centre would operate in terms of the opening hours and staff and visitor numbers for the various uses, and which uses would operate concurrently. As part of this, the applicant has advised that certain parts of the Centre would be closed during Friday afternoon and evening prayer times. The proposal has been scaled back in size, when compared to the previous application. For example, the previously proposed catering and private function facilities have now been omitted from the application.
- 10.9 Parking surveys carried out in the area show some capacity for on-street parking around the site. However, it is considered the applicant's transport statement

overestimates this capacity considerably, including a large number of spaces on streets where vehicles parking on both sides would obstruct two-way traffic flow. Furthermore, there is no guarantee that vehicles parking on-street in association with the development would use the spaces which are considered 'suitable' in this respect, particularly as some of these will already be in use by existing residents and businesses. Therefore, whilst not ruling out on-street parking *per se*, consideration must be given to the practicalities of this when weighing up to what extent this would be acceptable.

- 10.10 To overcome Highways concerns, this revised application now includes a basement level of parking, which provides 61 parking spaces. Highway Officers have stated that they consider that if parking demand is high then many visitors will chose to park on street rather than use the car park, particularly for short-stay visitors. This is because of the arrival profile at Friday prayers in conjunction with the car park design/ layout. The Cul-de-sac aisle on the ground floor level means that vehicles will have to reverse if the aisle is full, and the majority of spaces in the basement require negotiation of two 90 degree bends. The duration of visits for Friday Prayer, are relatively short (approximately 30 minutes) and it is unlikely people arriving by car would spend 5 or 10 minutes trying to park in the basement (the time taken would depend upon the number of users arriving at the same Prayer time). Highway Officers have expressed concerns that it would be difficult to restrict the number of worshipers arriving for Friday Prayer, and their mode of transport to the site.
- 10.11 The applicant has suggested a number of restrictions on the development which they feel would mitigate any additional impacts in this respect. These include limiting the numbers of visitors, with planning conditions (which the agent has suggested), closing down certain areas of the Centre at certain 'peak' times, and having a electronic register to 'count' the number of arrivals, restricting the maximum occupancy to 258 people. It is unclear what would happen to any persons who arrived after the 258 count, should this occur.
- 10.12 The NPPF advises that 'local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.' However, it goes on to state that 'planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.' Supplementary guidance on the use of conditions in the NPPG advises that 'any proposed condition that fails to meet any of the [NPPF] tests should not be used. This applies even if the applicant suggests it or agrees on its terms.' In the event that conditions cannot be formulated which would address any harm arising from the development and meet the tests in the NPPF, permission should be refused.
- 10.13 Because of the scale of the development and the capacity of the building, and the number and range of uses proposed, it is not considered that conditions could be imposed which would control the development to an acceptable degree or meet the tests in the NPPF, particularly those requiring conditions to be precise and enforceable. The NPPG guidance refers to unenforceable conditions including 'those for which it would, in practice, be impossible to detect a contravention or remedy any breach of the condition.' In the light of this it is considered that, for example, conditions restricting visitor numbers and requiring certain parts of the building to be closed at certain times according to a relatively complicated timetable of activities would be difficult to monitor and enforce in practice, particularly when the size of the building is considered to have potential to accommodate significantly higher numbers than those indicated and the internal layout does not lend itself to

having certain sections easily closed off. For example the Multi faith rooms are located of the 2<sup>nd</sup> floor corridor, which also includes the main Prayer room.

- 10.14 Without being able to impose conditions which would meet the NPPF tests, the local planning authority would have no means of controlling such matters, and the traffic and parking implications of the proposed development, if occupied to its full extent, would be significantly greater than anticipated in the submitted details. It is therefore recommended that the application is refused on highway grounds.
- 10.15 The proposal to phase the development has also been identified as a concern by highways officers. It is considered the temporary building could accommodate up to 200 people with only 45 parking spaces being available. There is little certainty on the exact timescales for construction, as no detailing timetable of works has been submitted. However, the phasing plans submitted indicate a total of 27 months from the beginning of works to completion. The NPPG guidance specifically rules out the use of conditions requiring the completion of development within particular timescales. An interim situation where activities are taking place but insufficient parking is provided on site could therefore potentially continue for a considerable period, with associated implications for highway safety and local residents.
- 10.16 Although a Travel Plan have been submitted, including measures aimed at managing parking and traffic during events and encouraging alternatives to car-based travel, it is not considered that such measures would, in themselves, be sufficient to reduce the demand for on-street parking to an acceptable degree, nor is it considered appropriate to introduce a use which would require such extensive levels of traffic management, including wardens to marshal traffic, on such a regular basis into a predominantly residential area.
- 10.17 In the light of the above, it is considered that the proposed use would be likely to result in additional on-street parking on nearby streets on a regular basis, obstructing visibility at junctions, and restricting the two-way flow of traffic in some instances, to the detriment of highway safety. The development is therefore considered to be contrary to policies GP5, T2 and T24 of the Core Strategy and the guidance in the NPPF and it is recommended that the application is refused on this basis.
- 10.18 It is noted that the site's former use as a factory involved large delivery vehicles coming to and from the site, and had a history of complaints relating to hours of operation, delivery vehicles parking and waiting on streets around the site and problems with vehicles using the rear entrance to the site. However, as large parts of the former factory buildings have now been demolished, it is not considered that the former use could recommence without requiring further planning permissions, or that this represents a realistic fallback position. Notwithstanding this, it is considered that the scale and nature of the development now proposed would result in a significantly more intensive use of the site which would generate other problems in terms of visitor parking on surrounding streets, as discussed above. Although the former use of the site is a material consideration, the fact that the proposed development would remove this use and the problems associated with it is not considered to be sufficient to outweigh the significant highway safety problems likely to be caused by the proposed development.

#### Visual amenity

- 10.19 A number of local residents have raised concerns regarding the scale and design of the proposed building, and that it would be out of character with its surroundings. At the pre-application presentation to Panel it was noted that the building would be

large, and was evident in more distant views of the site as well as in the immediate streetscene. Particular concerns were raised regarding the colour of any cladding and the height and prominence of the proposed minaret. Extensive discussions have taken place with design officers regarding the proposals, both at pre-application stage and following the submission of the previous application, and some revisions have now been received.

- 10.20 The proposed extensions at the front of the site, intended to house various ancillary amenities including offices, changing rooms, toilets and washing facilities, would be predominantly two storey in design, stepping up to provide a higher three storey central section. A 2½ storey internal stair tower feature is also proposed to the rear to provide a second staircase to the upper floors.
- 10.21 The resultant building will have a relatively large footprint with some sections higher than surrounding buildings. However, some of the highest sections are existing buildings, and because of the level of demolition proposed, the overall footprint of buildings on the site would be reduced, and the buildings would be set back considerably further from the site frontage than is the case at present. These reductions and alterations to the layout of the buildings would serve to reduce their presence within the streetscene, and provide a greater degree of space around them, and it is considered that the site is capable of accommodating a building of the size proposed. When compared to the existing form of the building, it is considered that the proposals would improve the appearance of the building, and wider site. The design of the proposal has been amended through the application process and now has a more simplified appearance. It is considered that the proposal would appear more as a functional office building, as oppose to an obvious place of worship. The proposed cladding works would improve the appearance.
- 10.22 Although some planting is proposed along the site frontage and within the car parking areas, the landscape officer has requested further details about how this would be carried out, as some of the beds proposed appear quite small or narrow. The landscape officer has also raised some concern about the proposal to remove planting along the north western boundary. As the application is recommended for refusal, no further information has been sought in this respect, however as it is considered that some of these details could be dealt with through revisions to the plans and/or planning conditions, it is not considered appropriate to refuse permission on landscape grounds.

#### Residential amenity

- 10.23 In terms of the physical impact of the proposed building on neighbouring residents in terms of its potential for overlooking, overshadowing and overdominance, it is noted that the sections closest to neighbouring residential properties to the rear are predominantly existing buildings which are to be retained, and that the front sections of the building would be set back over 35m from the site frontage, some distance from the houses on the opposite side of Barkly Road to the south west. Although concerns have been raised by residents that the buildings would cause overlooking of neighbouring properties, it is not considered that the proposals would have a significantly greater impact in terms of overlooking, overshadowing or overdominance than the large factory buildings which previously occupied the site.
- 10.24 The site has a lawful industrial use, with restrictions on hours of operations on site (including loading/deliveries) of 8am-6pm Monday to Friday, 8am-12 noon on Saturdays, and no operations on a Sunday. The proposed opening hours of the centre are 8am-10pm and it is considered that a condition restricting opening to appropriate hours could be imposed in the event that permission was granted.

- 10.25 As the proposed opening times would be longer than those permitted for the former factory use, there is the potential for additional activity both later in the evenings, and on weekends, in particular on Sundays, when no operations were permitted previously. In the interests of maintaining the amenities of neighbouring residents, appropriate sound insulation measures would need to be incorporated within the buildings as advised by environmental health officers, and, as suggested by Members at the pre-application Plans Panel meeting, activities taking place at the site would need to be restricted to the internal areas, with no outdoor events, no external speakers and no marquees etc to be sited within the grounds.
- 10.26 As discussed in the Highways section above, on the basis of the size and scale of the building and the details submitted, it is considered that the proposed development could lead to considerable increases in on-street parking on a regular basis, together with manoeuvres such as coach drop-offs which could not be accommodated within the site and for which no details have been received. As well as raising concerns regarding highway safety, it is also considered that potentially considerable levels of disruption and disturbance caused by vehicles parking around junctions and commercial and residential access points on a regular basis, and larger passenger vehicles parking on streets close to the site would be of significant detriment to the amenities of local residents.
- 10.27 Whilst the applicant has suggested conditions limiting visitor numbers at the site, there are concerns that such a condition may be difficult to enforce in practice, and insufficient information has been provided regarding how, for example, coach drop-offs and parking for larger weekend and annual events would be managed to prevent disturbance to neighbouring residents. It is therefore considered that the proposals are contrary to policies GP5 and BD5 of the Core Strategy and guidance in the NPPF relating to residential amenity, and it is recommended that the application is refused on this basis.
- 10.28 Concerns regarding the potential for pollution from additional traffic raised by residents are noted, but in the light of the site's context and lawful use, it is not considered that the proposed use would have significantly greater implications in this respect.
- 10.29 The proposed undercroft parking level, which is both located underneath the retained buildings and front curtilage area, would be a significant engineering operation to excavate the soil to provide 61 parking spaces. This operation is likely to cause significant disruption to adjacent residential properties, both in noise, vibrations, dust and the loading of HGV vehicles to remove the earth.
- 10.30 Officers in Building Control have stated that to construct the basement level of parking, piling would need to occur on the site boundaries, including the north-eastern boundary which abuts the properties at 1 Wooler Drive, 72 and 77 Wooler Avenue. Excavation would need to be approximately 5/ 6m in depth, to create foundations and a roof to support the ground level of parking above. It is also considered highly likely that the retained main building would need to be under-pinned to support the surrounding excavation works. They have stated these works are likely to cost over a 7 figure sum. These works are very expensive to provide only 61 parking space, however the Cost/ Benefits analysis of providing this does not lie with the Local Planning Authority.
- 10.31 The Lead Officer in Minerals and Waste has calculated that the volume of excavation works is approximately 7236 m<sup>3</sup>, which allows for a ceiling height of

2.5m and 5% over on footprint so outside walls can be built. These estimates are on the cautious side. This equates to 660 lorry loads to remove the earth both travelling to the site, and 660 trips out from the site. These works would create significant levels of noise, dust and vibrations for adjacent occupiers. No information has been submitted from the applicants on how these works would be carried out. It is not considered engineering works of this scale are appropriate on site which is adjacent to suburban housing, within a predominately residential area.

- 10.32 Some objections have been received to the potential and likelihood of amplified sounds, and music played at events etc. Assuming the application was considered in all other respects, conditions would be imposed to prevent externally played amplified sounds, including 'calling to prayer'.

#### Equality

- 10.33 By virtue of Section 149 of the Equality Act 2010, in determining the planning application the Council has a duty to have due regard to the need to promote equality and to prevent discrimination on any grounds. As the proposed building is intended to provide a community facility, the segregation of access as indicated by the annotations relating to male and female entrances on the plans would constitute direct discrimination on gender grounds, and the Council cannot endorse a proposal which would result in discrimination in this way. Concerns were raised to the previous 2013 application which included separate males and female entrances, which was contrary to equalities legislation which prohibits discrimination on the basis of gender.

- 10.34 Following discussions with legal officers and the Council's Equalities Team in this respect, this was drawn to the applicant's attention, and all reference to separate male and female entrances has now been removed from this revised planning application. Although the building is still proposed to have multiple entrances, the applicant has been advised that the segregation of access to a community building as originally proposed would be unlawful and is not endorsed as part of the planning application, and that if the building were to be operated in this way, there is the potential for a challenge to be mounted against them as the operator on this basis.

- 10.35 As there is now no reference to segregated access to the building on the plans which would form part of the decision on the application, and having addressed this and advised the applicant of the potential implications if the building were to be operated with segregated access, it is considered that the Council has complied with its duty to have due regard to these issues in accordance with Section 149 of the Equality Act.

#### Community use of the building

- 10.36 Concerns have been raised by many local residents that the building may not be made available for the use of the wider community and in particular those residents living in the immediate surroundings of the site, and that the development may lead to tensions within the community as a result.
- 10.37 Policy SP1 of the Core Strategy seeks to ensure that all new development has high levels of accessibility. Whilst material to the consideration of planning proposals, this aim is an aspiration which the Council's planning policies seek to deliver, and something which is to be encouraged as part of planning proposals, but does not carry the same weight as those policies themselves in the decision making process.
- 10.38 As noted by many of those writing in support of the application, the proposed centre has the potential to be a considerable asset to the local community, providing

facilities for young people, meeting spaces for community groups, gym facilities for local residents etc. Whilst noting that the proposed centre would be a private facility, not operated in conjunction with the local authority, it is nonetheless considered important, to encourage the availability of these potential benefits for the use of the local community as far as possible.

- 10.39 As part of the application, the developer has provided an email confirming the membership of a steering group which has been established for the Centre, which includes representatives from a number of local groups and organisations, including the Hamara Centre, St Mary's Church, West Yorkshire Police, Beeston Action for Families and Beeston Primary School. The developer has also advised that the facilities would be advertised and made available locally, with a particular focus on engaging with disadvantaged sections of the community.
- 10.40 On the basis of these commitments it is considered that the aims in the strategic development plan policy would be met as far as is possible for a privately-run facility of this nature.

#### Other issues

- 10.41 Concerns that insufficient public engagement was carried out by the developers prior to the submission of the application are noted. Whilst public consultation by developers is encouraged, it is not a statutory requirement for schemes of this scale, and it is also noted that some consultation was carried out at pre-application stage. The application, once received, was publicised by the local planning authority in accordance with Leeds' Statement of Community Involvement (SCI). Whilst concerns have been raised by some residents that they did not receive individual notification letters from the Council regarding the development, it is not the Council's policy to publicise major non-residential developments in this way. The application has been publicised by site notice and press notice in accordance with the procedures set out in the SCI. New site notices were posted advertising the changes made to the elevation treatments, and a further consultation period was given.
- 10.42 Concern has been raised by objectors that many of the support letters and emails received are from people living outside the Leeds area. Whilst this is noted, it is also noted that a considerable number of letters of support have been received from the local area. All material planning considerations raised in letters of both support and objection have been taken into account and weighed in the balance when considering the application, and in this instance it is recommended that the application is refused.
- 10.43 There have been a number of instances where comments have been submitted via the Council's website in duplicate several times. Comments received have been monitored upon receipt, and where such instances have been identified, all duplicates of the originally-submitted comment have been deleted. Where duplicate comments have been received, these have only been counted once in the counts for objection and support comments in section 6 above.
- 10.44 Many of the letters of objection are directed at the fact that the applicants are not being entirely honest with their true intentions on how the proposal would be run, used and on its actual target audience and catchment. Reference has been made to various information found on-line which refers to the proposal as a 'National Centre', drawing people in from neighbouring regions. This is at odds with information supplied by the applicant to support the application. The application cannot be assessed on here 'say, rumours, speculation or uncredited information

found on-line, and as such the application has only been assessed against the submitted proposals.

- 10.45 A large volume of objection has also been received concerning the time taken to assess this application. As this Report details, the application is controversial with many issues to be considered which inevitably takes time to form a balanced assessment, particularly when revised detailed drawings and further reports (such as the sequential test) were required. The time taken to determine the application, along with the fact this is a revised scheme (2<sup>nd</sup> application) cannot prejudice the decision made.
- 10.46 It is noted that some works have been carried out at the site, and compliance officers have visited the site on numerous occasions in response to concerns raised by local residents in this respect. As noted above, approval has previously been granted for the demolition of some of the buildings within the site which were unsafe, and some of these works have now been carried out. All other works taking place at the site have been found to be internal works to the remaining buildings, and as such are not development requiring planning permission. No permission has been granted for living accommodation at the premises, but it is understood that there is a 24 hour security presence on site.
- 10.47 The impact of a development on property values is not a material planning consideration and cannot be given any weight in the determination of the application.

## **11.0 CONCLUSION**

- 11.1 Although there is no objection to the principle of providing a community/ sports/ religious facility on the site, for the reasons discussed above, it is not considered that such a facility can be supported on the scale that is currently proposed. It is considered that the development could result in considerable increases in on-street parking and obstructions to traffic flow and highway safety on a regular basis, leading to knock-on effects on local residents who could experience significant disturbance and disruption as a result, as well as through the construction works to form the basement level of parking. The benefits of the scheme in terms of utilising a brown field site, improving the condition of the site, and providing a new community facility on balance do not outweigh this harm. For these reasons, it is recommended that the application is refused.

### **Background Papers:**

Application file 13/05214/FU and pre-application documents on file PREAPP/12/00279.  
Certificate of Ownership: Signed by applicant.

## **APPENDIX 1: MINUTES OF PLANS PANEL MEETING 20<sup>TH</sup> JUNE 2013**

Plans, photographs, drawings and graphics were displayed at the meeting. A Members site visit had taken place earlier in the day

Officers presented the report which related to pre-application proposals for a religious community centre, sports hall and catering business at 49 Barkly Road LS11. Members were informed that the character of the surrounding area was predominantly residential, although other uses including industrial use, workshops and a primary school surrounded the site. In terms of car parking, 74 car parking spaces at the front of the site were proposed together with 3 coach parking bays. The proposed catering unit would be a self-contained unit and have a separate access.

In respect of the design of the proposals, discussions had taken place on this and some revisions had been made. A particular feature of the main building would be the erection of a 16m high minaret, although this would be for decorative purposes only. For information, Members were informed that the highest point of the existing buildings measured 13.5m.

Highways issues remained a concern, particularly in view of the proposed mix of uses on the site and the implications this could have for on-street parking. Further information was being sought from the applicants to enable a full assessment to be undertaken of the highways issues involved.

The impact of the proposals on residential amenity would also need to be considered. The previous factory use on the site had generated complaints about operating hours and delivery vehicles waiting to offload, causing noise and disturbance to local residents. The proposals would need to be assessed to establish whether the intended uses would generate similar or different problems. In respect of the catering unit there was the potential for noise and odour from extraction equipment.

Officers reported the receipt of 33 additional letters of representation which had been received following publication of the report, with issues relating to impact on existing businesses; an intensification of uses on the site; possible longer operating hours and that a residential scheme which would provide affordable housing was more suitable in this location.

The Panel received a presentation on the proposals from the applicant who provided the following information:

- That that the charity Aspiring Communities was behind the application. This organisation was run by volunteers and its aim was to improve communities, tackle prejudices and stereotypes, with community cohesion being a priority. The charity catered for all aspects of society and had members in over 30 towns and cities.
- That Beeston was a multi-cultural part of the city; that it lacked investment; that it benefitted from the presence of a large number of faiths and that it was a sustainable location, with good public transport links to the wider area.
- That the proposed uses would be a community hall; sports and recreation hall; Islamic learning centre, incorporating a multi-faith centre and a catering unit. A charity drop-in centre would also be provided for use by other charities.
- That the proposals represented a ground-breaking scheme and that both positive and negative feedback had been received to them.

- That the scale of the development had been reduced from its original idea, to enable the massing of the building not to increase its impact on the nearby residential dwellings.
- That extensive parking was being provided on the site but that one or two large scale events, for up to 1500, would take place annually, which would require considerable additional parking, with the possibility of using an area off site for parking and then providing a shuttle service to the venue. The timing of these large scale events would be arranged so as not to coincide with a Leeds United home game at Elland Road.
- That a phased approach would be taken to the development and occupation, with the offices being retained as a temporary centre.
- That a traffic assessment for all of the proposed uses had been carried out by a reputable, independent company which had been submitted to Officers.
- Regarding numbers using the venue, that this would be managed through a booking system; that a range of uses could be accommodated for, although the capacity of the function room would be for 400 and that the cost of using the facilities would be subsidised for low income families. With the exception of the large annual events, in general, large numbers would not be catered for.
- That greater function hire was likely to take place at weekends, with a function possibly taking place once a week.
- That a Board had been formed two years ago for this community stakeholder project.
- That 8 paid posts would be created through the scheme, with one of these being a sustainability manager, to manage the centre on a day to day basis and that the jobs created would be for local people.
- That a significant investment of £4-5m was being made for this innovative scheme.

Members then heard from a representative of Beeston Forum who provided the following information:

- That Beeston Forum opposed the proposals due to concerns about highways and disturbance to residential amenity as from the plans it was clear that a large number of people would be visiting the site.
- That lengthy opening hours were being proposed.
- The proximity of the school to the site, with concerns that this was closer than shown on the submitted plans.
- The likelihood of on-street parking occurring from people visiting the premises and the increased traffic generation the development would create.
- Concerns about the proposed catering unit and the potential for nuisance to the residential dwellings sited nearby.
- That a previously approved residential scheme was more appropriate for the site and that the scale of the proposals were too large for this area.

The Panel then had the opportunity to ask questions of the two speakers and then comment on the proposals.

Members commented on the following matters:

- That further information on the membership of the Board and the sustainability of the organisation was requested.
- Concerns about possible numbers using the site for functions. On this matter the Panel noted Mr Rahman's comments that there was not an intention to let the premises as a commercial venture and that he was willing to accept a condition preventing wedding functions from taking place on the premises.
- The use of the premises for funerals and the possibility of a large number of car borne visitors attending these, with concerns about highways and parking issues. The Panel

again noted Mr Rahman's statement that the organisation would accept conditions relating to these issues, if it was felt appropriate.

- The facilities available for young Muslims in the area, particularly primary school children. Members were informed that all age groups were catered for and along with sports facilities there would be evening classes, health and career advice and support for a range of issues, including language.
- The prayer facilities; the peak time for their use and the likely method of travel, with mixed views about this. At this point Councillor Akhtar drew Panel's attention to the fact that he was a practising Muslim, as he felt it was in the public interest to do so.
- The possibility of pressure being put on the organisation to hold larger events more frequently than was intended. The non-profit nature of the scheme was reiterated, with the possibility of conditioning event use being suggested by Mr Rahman.
- The Governance arrangements, with Members being informed that operational sub-committees would be established which would be made up of local people.
- The need for further consultation to be undertaken within the local area, particularly with the local faith communities, Beeston Forum and other groups which were not part of the Aspiring Communities organisation
- The particular problems of on-street parking in this area due to the proximity of Elland Road and the potential for this to worsen if the parking issues associated with the scheme were not properly addressed from the outset.
- Whether there was a demand in the area for affordable housing and the need for details to be provided of the number of sites in the Beeston and Holbeck Ward designated for future housing development.
- The scale of the development, which for context, was slightly larger than the proposals for a new supermarket being considered later on the agenda, and also for context, the level of car parking being proposed in the two supermarket developments before Panel, i.e. 164 and 195 spaces respectively, and whilst accepting the use was different, that only 74 car parking spaces were being proposed for this scheme for uses where people could be expected to park for several hours.
- That proposals represented an extremely large, community facility.
- The need for any traffic management plan to be robust and sound, be submitted to Panel and include details about how it would be controlled and enforced.
- Concerns about the design of the building; how the different areas would be used and whether, from the drawings provided, sufficient light would be available for the various intended uses.
- That the decorative minaret should not exceed the height of the highest point of the building; that the diversity of brickwork on the frontage was welcomed but that further design improvements were needed to the front elevation.
- That further conditions should be considered regarding no music outside the building; no marquees to be erected or outdoor events held and possible noise restrictions at the boundary, in the interests of protecting residential amenity.
- That local Ward Members and residents felt strongly there should be no access to the catering facility from the rear entry to the site, as the use of this access had led to issues of noise and nuisance from the former occupier of the site. A condition in respect of the size of vehicles to the catering unit should be included and that this should specify no HGVs.
- The need for the catering unit to be properly conditioned to prevent noise and odour nuisance.
- The hours of operation of the sports hall which should be reduced from 10.00pm to 9.00pm and that some sound insulation to this area should be required.
- That the principle of this development could be beneficial, particularly the principle of community cohesion but that much more information on how this could be achieved was required.

- The scale and design of the existing development, with concerns that the current material of the large, modern unit on the site was unacceptable and that better cladding of this should be required as part of the proposed scheme.

In respect of the specific issues in the report where Members' comments were sought, the Panel's Lead Officer summarised these from the comments made and noted that whilst there was support in principle for the scheme, concerns remained in respect of:

- Scale and design;
- Highways and parking;
- Impact of the proposals on residential amenity;

and that further information was required on these matters and the other issues raised by Members, including details about the community cohesion the scheme could bring to the area

RESOLVED -

To note the report, the presentation and the comments now made.