

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 18TH FEBRUARY, 2016**

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

Councillors J Akhtar, J Bentley, A Castle,  
M Coulson, R Finnigan, J Heselwood,  
S McKenna, E Nash, A Smart and R Wood

### **82 Exempt Information - Possible Exclusion of the Press and Public**

Members were advised that an appendix to Agenda Item 13, Application 15/05637/FU, Land adjacent to Newhall Gate and Winrose Drive, Leeds contained information relating to financial matters and was considered to be exempt under Access to Information Procedure Rule 10.4 (3)

### **83 Declarations of Disclosable Pecuniary Interests**

Councillor R Wood declared an interest with regard to Agenda Item 11, Application 15/05597/FU – 26 Foxholes Crescent, Calverley, Pudsey as he knew one of the objectors to the application. He took no part in the discussion or voting on this item.

### **84 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor C Towler.

Councillor S McKenna was in attendance as a substitute Member.

### **85 Minutes - 14 January 2016**

**RESOLVED** – That the minutes of the meeting held on 14 January 2015 be confirmed as a correct record.

### **86 Application 14/06007/FU - Ice Pak, 49 Barkly Road, Leeds, LS11 7EW**

The report of the Chief Planning Officer informed Members of an application for a mixed use development comprising sports hall, community facility and associated offices; change of use of existing office building to a temporary community use building during works at 49 Barkly Road, Cross Flatts, Leeds.

An appeal against non-determination had been submitted by the applicant. The report sought Members agreement for officers to make representations against the non-determination.

Site plans and photographs were displayed and referred to throughout the discussion on the application.

Further issues highlighted included the following:

- The application had attracted objections from local Ward Councillors and the local MP. There had also been objections from local community groups. Main objections to the application focussed on the lack of parking in the area and an increase in noise and activity.
- The application had attracted 68 individual letters of support and over 650 batch letters of support on the basis that the provision of a community centre, education and leisure facilities would be of benefit to the area.
- Original proposals had been scaled down and there was a plan for some underground parking which would alleviate concerns regarding overspill parking.
- The applicant had suggested that the number of visitors could be limited at peak times with parts of the centre closed down if necessary. It was reported that this would be difficult to monitor or enforce.
- The creation of an underground car park would be a significantly disruptive operation. It would require a minimum of 660 lorry loads to remove the ground materials and there would be excessive noise, dust and vibration.
- There were concerns that the use of the centre would not be available to the wider community or those who would live in the immediate surroundings.
- There were a number of outstanding issues to resolve before a decision could be taken on the application.

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

- Concern regarding the high number of objections.
- The previous use of the site as a factory did cause some disturbance problems to local residents.
- There was not enough space in the area for any overspill car parking.
- Opportunity for the applicant to engage the local community.

**RESOLVED** – That it be agreed for Officers to make representations on the appeal against non-determination on behalf of the Council on the following grounds:

- The impact of the proposal on residential amenity due to levels of activity and associated intensification of the use of the site and associated noise.
- Uncertainty over the exact use and occupation of the Community/Sports Hall and the potential of overspill parking onto adjacent streets.
- Whether the use can be adequately controlled in terms of restrictions on use, hours, activities and numbers of people attending via planning conditions or a legal agreement to make the proposal acceptable in terms of impact on local people and the highway network.

**87 Application 15/06162/FU - 23 Bradford Road, Gildersome, Morley, LS27 7HW**

The report of the Chief Planning Officer presented an application for the removal of condition 3 (not operating) on planning permission 14/01004/FU to allow the permitted use of the site for storage and maintenance of vehicles and plant offices and associated parking and access on Sundays and Bank Holidays at 23 Bradford Road, Gildersome.

Site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application was originally refused and subsequently agreed on an appeal – conditions to the application prevented use on Bank Holiday's and Sundays and the applicant now requested removal of this condition.
- Installation of an acoustic barrier.
- Timescale for completion of works.
- It was recommended that the application be approved.

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

- There had always been operating restrictions at the site.
- Resident's concerns included safety as well as noise issues.
- This kind of operation should be in an industrial area.
- Concern regarding the high number of HGV vehicles using the site.

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

- The site was used by a local family run business and had always operated 24 hours a day and 7 days per week.
- The Planning Inspector had been satisfied with noise attenuation measures at the site.
- There had been no concerns from the Environmental Protection Team following noise monitoring at the site.
- The site would not be intensively used on a Sunday.

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

- There had been more residential development in the area in recent years.
- Concern regarding the impact on residential amenity.

**RESOLVED** – That the application be granted subject to conditions outlined in the report and a further condition requiring verification of noise monitoring measures.

**88 Application 15/05179 - 2 Church Lane, Adel, Leeds, LS16 8BZ**

The report of the Chief Planning Officer presented an application for three new dwellings at 2 Church Lane, Adel, Leeds.

Members attended a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on the application.

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

- The proposals would include the demolition of the existing bungalow at the site.
- Access arrangements to the proposed properties were highlighted.
- There would be one detached dwelling with a pair of semi-detached dwellings. There would be a new access from Otley Road to the semi-detached properties.
- The proposals satisfied distance requirements from any neighbouring properties.
- The application was recommended for approval.

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

- Although the principal of additional housing was a positive use it was felt that two properties would be enough due to the size of the site.
- Concern regarding access to the site.
- The need for a site construction plan.
- The proposals did not reflect the character of the area.
- Concern regarding the timing of the traffic lights at the nearby crossroads and lack of facility for pedestrian crossing.

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

- The existing bungalow on the site was out of character with the area.
- The proposed dwellings would be of a bespoke design for the site.
- There would be three parking spaces and garages for each property.
- The access from Otley Road would be as far away from the junction as possible and there would be room to turn vehicles round within the site.

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

- A site construction plan could be included as a condition to the application.
- The size of the gardens for the properties were in accordance with standard guidelines.
- Concern regarding the lack of front gardens for the semi-detached properties.
- The accident statistics for the main road were low. The design of the access to the properties allowed cars to exit in forward gear.
- Concern regarding the lack of pedestrian crossing facilities.

**RESOLVED** – That the application be granted as per the officer recommendation and conditions outlined in the report. Additional condition for a construction management plan to also include access arrangements.

**89 Application 15/05383/FU - Land adjacent to 3 Coronation Street, Carlton, WF3 3RD**

The report of the Chief Planning Officer presented an application for two semi-detached houses with associated works on land adjacent to 3 Coronation Street, Carlton.

Members attended a site visit prior to the meeting.

It was reported that that applicant had requested that the application be deferred to enable the production of better visuals. Members suggested that design improvements be made and that the elevations be swapped around so that the main living area faced south and the articulation was at the front facing the main road.

**RESOLVED** – That the application be deferred.

**90 Application 15/05597/FU - 26 Foxholes Crescent, Calverley, Pudsey, LS28 5NT**

Prior to the discussion on this item Councillor Gruen announced that she was known to one of the speakers regarding this application. She remained in the Chair but did not take any part in the discussion or voting on this item.

The report of the Chief Planning Officer presented an application for the enlargement of roof including insertion of dormers, single storey rear extensions and conversion of garage to a habitable room at 26 Foxholes Crescent, Calverley, Leeds.

Members visited the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- The application had been referred to Panel following concerns from local residents and a local ward councillor.

- The property fell outside of the Calverley Conservation Area.
- The immediate area had a mix of different property types.
- The ridge height of the roof would be raised by 0.7 metres which was approximately the same height as the adjacent bungalow. The bungalow next door also had dormers.
- The proposals met household design guidance guidelines.
- The application was recommended for approval.

A local resident addressed the Panel with concerns regarding the application. These included the following:

- The proposals were over dominant and would impact on neighbour's privacy.
- The proposals would reduce garden size.
- The current wall would not provide sufficient screening.
- Ward Councillors did not feel that proposals were appropriate for the area.
- The applicant had rejected a proposal to have dormers to the front with roof lights or velux windows at the rear.
- There was less impact from the neighbouring bungalow as it had a larger garden and did not overlook other properties.

The applicant addressed the Panel. The following was highlighted:

- The applicant had consulted local residents regarding the proposals.
- Significant advice and guidance had been taken from Planning Officers regarding the proposals.
- There would not be any further overlooking of neighbouring properties.
- The proposals met the criteria of household design guides.
- Other properties in the area had rear dormers.
- The proposals would not be out of character for the area.

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

- If the roof was not raised the extension could be done as permitted development.
- The height of the roof was the same as the neighbouring property.
- There would be an approximate loss of 2 metres to the garden.

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

**91 Application 15/05648/FU - Lidl UK, 50 Aberford Road, Oulton, Leeds, LS26 8HP**

The report of the Chief Planning Officer presented an application for a variation of condition 14 to approval 22/376/05/FU to allow extended opening hours of the retail premises from 07:00 to 22:00 hours Monday to Saturday

and for no more than 6 hours between the hours of 10:00 and 18:00 on Sundays at Lidl UK, 60 Aberford Road, Oulton, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this item.

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

- Proximity to residential properties.
- There had been objections to the proposals from 2 local residents and a local Ward Councillor.
- Advice had been sought from the Environmental Protection Team and it was reported that there had not been any complaints of noise disturbance linked to the premises.
- Details of traffic movements anticipated at the site.

In response to Members questions, it was reported that the proposals were to amend the opening hours of the store only and there would be no changes to delivery times.

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

**92 Application 15/05637/FU - Land adjacent to Newhall Gate and Winrose Drive, Belle Isle, LS10**

The report of the Chief Planning Officer presented an application for the development of 27 affordable dwellings with associated access road on land adjacent to Newhall Gate and Winrose Drive, Belle Isle, Leeds.

Members attended the site prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion on this application.

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

- Members were shown a proposed layout of the properties.
- Materials to be used were shown.
- Reference was made to a flood risk assessment. It was advised that floor levels of the development be set a minimum of 300 mm above ground levels.
- It was recommended that the application be approved.

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

- Concern regarding the proposal for some flat roofs – it was reported that the Design Advisory Group felt that some smaller flat roofs added

interest to the street scene and that there were no concerns regarding good quality flat roofs.

- Materials – it was requested that matching brick be used – it was reported that there was a condition to the application regarding the materials used.
- Some concern was expressed regarding the loss of greenspace and lack of greenspace contribution but it was accepted that the provision of affordable housing outweighed this and there was still a large amount of greenspace in the area.

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

**93 Application 15/05883/FU - 23 Nora Place, Bramley, Leeds, LS13 3JE**

The report of the Chief Planning Officer presented an application for external alterations to form self-contained flat to first floor including new first floor window to side at 23 Nora Place, Bramley.

Site plans and photographs were displayed and referred to throughout the discussion on this application.

- Members were shown details of works already carried out at the property which included the infilling of a side window with a render finish and the relocation of a downpipe which had been secured to a neighbouring property.
- Following reports of the works being carried out without permission there had been a visit from enforcement officers.
- It was reported that alterations would be required to the works which included the infilled window being filled with matching stone to the property as opposed to the rendered finish and relocation of the downpipe.
- There had been six objections to the application which included noise due to the works, highways concerns, the relocation of the downpipe and the retrospective nature of the application.
- The ground floor of the property was proposed to be used as a shop unit with a flat upstairs.
- It was recommended that the application be approved subject to conditions and the completion of the works within 6 months.

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

- Highways concerns – particularly as there were poor sight lines in an area that was used by school children.
- Impact on neighbouring properties.
- Reference to contact with Planning and Enforcement when the works were initially being carried out without permission.
- Disturbance when the initial works were carried out.



- Damage caused to a neighbouring property due to the works carried out.

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

- The applicant did not require permission for use of the ground floor as a shop and the conversion of the first floor to a flat.
- Concern that the use as an off licence was not appropriate.
- The need for strict conditions regarding the times that works should be carried out and for the works to be completed within 6 months.

**RESOLVED** – That the application be approved as per the officer recommendation and conditions outlined in the report with a further condition that the outstanding work be completed within 6 months and at specified working times in the day and the approval and use of matching stone in place of the render infill.