

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 16TH FEBRUARY, 2017**

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

Councillors J Akhtar, B Anderson,  
J Bentley, D Congreve, M Coulson,  
T Leadley, E Nash, A Smart, C Towler and  
R Wood

On the morning of the Panel Members visited the sites at 14 Stubley Farm Mews, 7 Ring Road, Beeston and Middleton Methodist Church. These visits were attended by Councillors C Gruen, D Congreve, E Nash, C Towler, B Anderson, R Wood and T Leadley.

### **62 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests. Councillor D Congreve informed the Panel that he had previously commented on Application 8 – Application 16/06842/FU – 7 Ring Road, Beeston Park, Middleton, Leeds, LS11 5LG and to avoid concerns being raised in respect of pre-determination he would take no part in the discussion or voting on this application.

### **63 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor R Finnigan.

Councillor T Leadley was in attendance as substitute.

### **64 Minutes - 19 January 2017**

**RESOLVED** – That the minutes of the meeting held on 19 January 2017 be confirmed as a correct record.

### **65 Application 16/01480/FU - Middleton Methodist Church, Hopewell View, Middleton, LS10 3TE**

The report of the Chief Planning Officer presented an application for the change of use of a former church and hall to form 9 flats, including external alterations and partial demolition of ancillary buildings and on-site parking.

There was a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- The site fell within a densely populated residential area.
- Relation of the site to nearby properties was highlighted.

- Parking and access arrangements were explained.
- Objections had included overlooking of existing properties and potential noise disturbance. Obscure glazing would be used where there was a possibility of overlooking.
- Initial plans had proposed fifteen flats. This had since been revised down to nine.
- There would be some demolition work and also minor external alterations to the remaining building which included access areas and the inclusion of roof lights.
- A parking area was to be provided at the rear.
- There had been alterations to internal layouts to ensure no living areas would overlook existing properties.
- There had been a late objection with a request for a higher wall to the rear to protect privacy of existing residents.
- The application was recommended for approval.

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

- Main problem and concern was with multiple occupancy that the flats would create and disturbance due to the proximity to existing houses and gardens.
- Alternative entrances to the site were suggested to reduce noise disturbance.
- There would be additional problems with increased traffic and parking.
- Local Ward Councillors and The Local MP had been sympathetic to residents' concerns.
- The access and exit if the parking area was potentially dangerous.
- It was felt that concerns of local residents had not been listened to.
- If the plans were to go ahead it was requested that there be conditions regarding construction times and prevention of light pollution.

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

- The proposals would bring a non-designated heritage asset back into use. There had been no other interest in the building other than for housing.
- It was not felt that noise made from resident's access would be sufficient to cause disturbance to existing residents. There would not be as much sound disturbance as when the building was used as a church.
- Even though there had not been an objection from highways, extra land had been made available for more car parking. Visibility from the access point was sufficient.
- The applicant had been mindful of objections and had worked closely with planning officers to address resident's concerns.

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

- The corridor access was 5 metres from the nearest property, noise levels this would cause were considered to be acceptable.
- The possibility of using noise insulating materials on the access corridor.
- There would be a condition for boundary treatments.
- Height of the barrier wall.

**RESOLVED** - That the application be granted as per the officer recommendation and the conditions outlined in the report and further discussion regarding boundary treatments and height of the boundary wall (condition 11)16.

**66 Application 16/06842/FU - 7 Ring Road, Beeston Park, Middleton, Leeds, LS11 5LG**

The report of the Chief Planning Officer presented an application for the change of use of a tattoo parlour to hot food take away (A5 use) and alterations involving addition of chimney encased extract flue to side of 7 Ring Road, Beeston Park, Beeston, LS11 5LG.

There was a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- External alterations included the inclusion of a chimney encased flue to the side of the building.
- The application was for the ground floor of the premises that had remained vacant for a long while.
- There would be minor internal alterations.
- There was forecourt parking to the front and storage to the rear of the building.
- Objections had been submitted by all 3 Local Ward Councillors due to the high proliferation of takeaways in the area.
- The siting of the fan in the extract flue was above the roof line and would counteract problems with fumes.
- The application had previously been refused due to the proposed length of opening hours and these had now been reduced to 1000 to 2200.
- The application was recommended for approval. Conditions to include litter management; hours for opening and deliveries; full details of the extraction system to be supplied.

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

- Concern regarding rubbish to the rear of the property and the potential for rodents. It was asked whether there could be a condition to have

this cleared. It was reported that there was a condition for waste storage and standards to be met for waste food collection. Tidying of the area would be an Environmental Health matter and they would need to investigate and take enforcement action where necessary.

- Policy on Hot Food Takeaways – the Panel was informed that there was due to be a report to Development Plans Panel.
- Whether building control could be informed of the poor condition of the garage doors.

**RESOLVED** - That the application be granted as per the officer recommendation and the conditions outlined in the report. Condition of the site to be referred to Environmental Health and Building Control in terms of tidying the site and to be reported back to the Chair.

**67 Application 16/07926/FU - 14 Stubley Farm Mews, Morley, Leeds, LS27 9ND**

The report of the Chief Planning Officer presented an application for the conversion of an integral garage to a habitable room at 14 Stubley Farm Mews, Morley, LS27 9ND.

There was a site visit prior to the meeting and site plans and photographs were displayed and referred to throughout the discussion of the application.

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

- The property was 3 storeys with dormers, an internal garage and occupied a corner plot.
- The applicant had created access to the rear of the property for car parking under permitted development rights.
- An application had previously been refused as the loss of the garage would reduce parking provision. A visit to the site had determined the garage to be sub-standard under new guidance and not fit for the purpose of parking a family vehicle.
- Parking provision had been addressed with the provision of the space to the rear of the property and there had not been any concern expressed by Highways.
- Objections had been received from neighbours regarding pedestrian safety due to the parking at the rear of the property.
- The application was recommended for approval with a condition that the space to the rear of the property is retained for parking.

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

- Noise and fumes to neighbouring property – when reversing into the drive, the car's exhaust came within 4 feet of the kitchen window.
- When the neighbouring property was bought it was not anticipated that the benefit of the garden to a young family would be lost.

- Children's bedroom windows could not be left open due to fumes and there was also disturbance due to the applicant working shifts.
- There were narrow paths round the street and the concealed driveway out children at risk while they were out playing.
- The removal of the wall to create the driveway was a breach of planning legislation.
- The garage was large enough to park a vehicle and there were also 6 off road spaces on the site that could be used.

The applicant addressed the Panel. Issues highlighted included the following:

- An application had been submitted in March 2016 but was withdrawn as Highways had stated that access to make the parking at the rear was not wide enough. Following further advice, work was undertaken to widen the access to create a space at the rear. This was done at a cost of in excess of £7.5k and was done as a permitted development. A further application was submitted in October 2016 and refused. Further information came to light in December 2016 which showed that the garage was sub-standard under street design guidance and that therefore there was no loss of a parking space. The applicant was then invited to submit a further application.
- The proposal was to convert the garage to create more living space. There would not be any external alterations.
- It had not been mentioned prior to the application that there would be a condition to retain the rear parking space.
- It considered that the condition to retain the parking space failed key tests under government guidelines and it was requested that this condition be removed.
- If it had been noted at the first application that the garage was sub-standard then there would have been no need to create the extra space at the rear. There had been a series of errors and the application should have just been a non-material change to an integral garage.

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

- With regard to the legality of the condition to retain the additional parking space, members were informed that consideration needed to be given to how many parking spaces were required. At the original planning permission for the property there was a requirement for 2 spaces and this condition ensured that was retained.
- Comments were made that garage conversions on these kind of properties were common and that although the property was sited in an awkward position, the applicant had found a way to create additional parking. It was also felt that the condition to retain the rear parking space was reasonable.

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

**68 Date and Time of Next Meeting**

Thursday, 24 March 2017 at 1.30 p.m.