

SOUTH AND WEST PLANS PANEL

THURSDAY, 20TH APRIL, 2017

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley,
D Congreve, M Coulson, R Finnigan,
B Flynn, S Hamilton, C Towler and
N Walshaw

The site visit on the morning of the Plans Panel was attended by Councillors: C Gruen and M Coulson. Due to a problem with the transport to the sites, only the site at Bruntcliffe Road, Morley was visited. Councillor D Congreve reported to the meeting that he was unaware of the difficulties with the transport and had made his own way to the first scheduled visit at Park Spring Primary School at the allotted time.

75 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents

76 Exempt Information - Possible Exclusion of the Press and Public

There were no items identified where it was considered necessary to exclude the press or public from the meeting due to the nature of the business to be considered.

77 Late Items

Although there were no formal late items of business, the Chair did accept the inclusion of supplementary information in respect of Agenda Item No.9 (Application No. 16/06222/OT – Land to the East of Otley Road, Adel, Leeds 16) - Minute No.83 refers

78 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests made at the meeting.

79 Apologies for Absence

Apologies for absence were received from Councillor: B Andersons, E Nash, A Smart, G Wilkinson and, R Wood

Councillors: B Flynn, S Hamilton and N Walshaw were in attendance as substitutes

80 Minutes - 23 March 2017

RESOLVED – That the minutes of the previous meeting held on 23rd March 2017 were accepted as a true and correct record.

81 Application 16/07619/LA - Park Spring Primary School, Wellstone Avenue, Swinnow, LS13

The Chief Planning Officer submitted a report which set out details of an application for a two storey teaching block, new staff car park, boundary treatment and associated landscape works and demolition of three existing temporary school buildings at Park Spring Primary School, Wellstone Avenue, Swinnow, Leeds 13.

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

Further issues highlighted in relation the application included the following:

- The proposed extension was for a two storey development to provide teaching accommodation with a link connection to the main school building. The gross floor area created would be 1024M2 comprising of 7 classrooms, toilets and storage areas
- The application site lies within the urban area of Pudsey and sits in an area which is residential in character. The site is occupied by Park Spring Primary School to the rear of Wellstone Avenue situated to the north and east of the site. To the south west of the site is an area of open space with a path providing public access linking Swinnow Lane to the west with open land and woodland situated further east of the site. The housing surrounding the site is generally two storey in height.
- The main building block is centrally located within the site with a restricted access via a narrow roadway off Wellstone Avenue. The school is set back within the site with no obvious frontage
- To accommodate the increase in staff numbers and to resolve the overspill parking on the highway a new vehicular access is proposed from Swinnow Lane. This would provide access to a new 30 space car park (51 spaces overall) and would provide space and turning for a school bus when required.

In response to questions and comments from the Panel, the following were discussed:

- Concern was expressed that there was no parent drop off point within the car park
- It was noted that there were no objections from Ward Members, however, objections had been received from local residents on highway safety grounds.
- A number of Members were supportive of the proposal suggesting the school did require improvement.

In responding to the lack of a parent drop off point within the car park, Officer's reported that this issue had been considered, but due to the amount

of land required, the need to extend the ground works including the levelling of the land, it was considered not to be feasible.

RESOLVED – That the application be approved subject to the conditions specified in the submitted report

82 Application 16/05912/OT - Land at Whitehall Road, New Farnley

With reference to the meeting of 23rd March 2017 and the decision to defer consideration of the application to allow further information to be presented regarding the site's accessibility, with particular reference to providing clarity on local bus service provision and to also clarify education provision associated with the proposed development.

The Chief Planning Officer submitted a report which attempted to provide clarity around bus service provision and education provision associated with the proposed development (As detailed in paragraphs 1.3 & 1.4 of the submitted report)

It was reported that 2 further letters from the occupiers of 636 Whitehall Road had been received but they did not raised any new issues.

It was also reported that Ward Councillors had advised that the report omitted the fact that buses from and to Walsh Lane were only hourly on an evening from 5.00pm and that the Primary schools in the ward were already full

In response to questions and comments from the Panel, the following were discussed:

- Clarity was sought on the designation of the land
- It was suggested that the travelling time/ walking distance for children to attend local schools, referred to in the submitted report was inaccurate
- Education provision in the area was not sustainable
- Bio-diversity issues had not satisfactorily been addressed
- One Member expressed the view that school provision and sustainability were secondary issues, the point of focus should be on National Planning Policy Framework(NPPF)

In responding officers confirmed the site was identified as a Protected Area of Search (PAS) on the UDP Policies Map and remained as safeguarded land within the Submission Draft SAP. On the issue of school provision, officers from Children's Services confirmed that school places would be provided. Bio-diversity issues would be delivered via a Bio-diversity Enhancement Plan and addressed by condition.

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report and following the completion of a Section 106 Agreement to include the following obligations:

Draft minutes to be approved at the meeting
to be held on Date Not Specified

- Affordable Housing (15% with a 60% social rent and 40% submarket split)
- A contribution of 30,000 towards the creation of a 20mph speed limit on the neighbouring highways
- Public open space on site of the size to comply with Core Strategy Policy G4
- Provision of sustainable Travel Fund of £62,562.50
- Travel Plan Review Fee of £2,650

In the event of the Section 106 Agreement not having been completed within 3 months of the panel resolution to grant planning permission, final determination be delegated to the Chief Planning Officer

83 Application 16/06222/OT - Land to the east of Otley Road, Adel, LS16

With reference to the meeting of 23rd March 2017 and the decision to defer consideration of the application to allow further discussions regarding the relationship of the school playing field, potential fencing arrangements and the impact on the existing church.

The Chief Planning Officer submitted a report which attempted to provide clarity around the playing pitch location, the height and design of the fence and the impact on the church and conservation area (As detailed in paragraphs 10.32 – 10.40 of the submitted report)

Supplementary information was circulated on behalf of two local Ward Councillors which provided a revised summary of their objections.

It was reported that 10 letters of objection had been received concerned that the application was recommended for approval given the close proximity to the listed church.

Historic England had also objected to the application suggesting that no development should take place east of the Beck because this would erode both rural character and openness of the fields closest to the church.

Further issues highlighted in relation the application included the following:

- The proposal was an outline application for residential development for up to 100 dwellings and land reserved for a primary school with the principle of development
- The main access for the proposal would be on Otley Road to the north of the site the entrance to Kingsley Avenue
- The application site was designated as a Protected Area of Search (PAS) in the UDP

The Panel heard from Councillor B Anderson, local Ward Councillor and Mr I Bond, a local resident, both who objected to the application and spoke on the following issues:

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- Was the principle of the development satisfactory
- Why should local objections be ignored
- Did the provision of a primary school on the site meet the needs of the City
- Local residents supported the views of Historic England in that rural character and openness would be eroded
- Concern were raised about traffic safety on the Otley Road (A660)
- School provision was required in the area but not necessarily in this location
- Concerns were raised about the impact on the listed church
- The proposal did not accord with a semi-rural setting

The Panel then heard from Mr M Johnson, applicant's representative, who spoke on the following issues:

- The application was in accordance with Policy N34, supply of houses, there was no 5 year land supply in Leeds.
- No significant or demonstrable harm would be caused to the area as a result of the application
- Historic England's most recent letter objected to the fence and hedge
- 35% Affordable Housing

In response to questions and comments from the Panel, the following were discussed:

- Clarification was sought on Historic England's objection, there was a view expressed that the objection referred to the whole of the site, not only to the fence and hedge
- What weight should be given to the Adel Neighbourhood Plan
- Concern was expressed about the impact on the church and conservation area

In responding Officers reported that two letters of objection had been received from Historic England. The issues raised in the first letter had been addressed, it was the issues referred to in the second i.e. the fence and hedge that remained the subject of the objection. With regard to the weight given to the Adel Neighbourhood Plan, it was reported that the Plan was still at the Draft Stage and no weight should be attributed to it until it was at the referendum stage. Addressing the reference to the impact on the church and conservation area, it was the view of officers that given the proposed development would be in excess of 100m from the church and mitigated by a hedge, it was considered that the development was not harmful with the rural setting being preserved.

RESOLVED –

(i) That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report (with an amendment to condition no.14 to state “no vehicles of OGV2 or larger allowed”) and following the completion of a Section 106 Agreement to include the following obligations:

- Financial contribution towards improvement works at Church Lane/ Farrar Lane/ Otley Road junction of £100,000 prior to the occupation of the 50th dwelling
- Sustainable Travel Fund of £481.25 per unit
- Travel Plan Monitoring Fund
- Bus Stop contribution (£20,000)
- On site provision of greenspace and maintenance
- Affordable Housing at 35%
- Land to be reserved for school

In the event of the Section 106 Agreement not having been completed within 3 months of the panel resolution to grant planning permission, final determination be delegated to the Chief Planning Officer

(ii) That two additional informatives be added to any planning permission issued to the effect that:

- The illustrative layout submitted is not an acceptable form of development as it does currently not comply with guidance set out within Neighbourhoods for Living and have sufficient regard to the character of Adel
- The layout of the development submitted as part of the Reserved Matter application should include roads/road of a width suitable to accommodate parking for parents dropping off and collecting children from the proposed school

84 Application 16/06109/FU- Victoria Reservoir and Land, Bruntcliffe Road, Morley

The Chief Planning Officer submitted a report which set out details of an application for proposed residential development of 210 dwellings at Victoria Reservoir and land at Bruntcliffe Road, Morley, Leeds.

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

Further issues highlighted in relation the application included the following:

- The application site is 8.7 hectares in size, fronting onto Bruntcliffe Road, to the north, wrapping around the covered Victoria Reservoir to

the west and south, before meeting up with recent development to the east off Perry Way. The southern boundary of the site is marked by the M62, to the west are industrial units accessed off Scott Lane

- The development would consist of 210 homes, predominantly detached houses, the majority of properties would be of 2 storey height, with flat units at 3 storeys and a number of units in the northern portion being 2.5 storeys.
- The house types proposed are standard for a volume house builder and provide a variety of styles, featuring pitched roofs, hipped roofs and gable features
- 45 of the units are proposed to be 2 bedroom units, 94 are proposed to be 3 bed units and 71 are proposed to be 4 bed units. There are no 1 bed or 5 bed units.
- There are three main points of access to the site, one from Scott Lane, one from Bruntcliffe Road and one from Perry Way. There are also connections with residential streets to the east joining in with roads currently under construction
- A pumping station is proposed to the south within the buffer zone adjacent to the motorway.

It was reported that a letter of objection had been received from Councillor N Dawson regarding Public Rights of Way issues.

It was also reported that the applicants had submitted a report setting out details of noise mitigation measures.

(Councillor Walshaw informed the meeting that the following speaker, Mr L Davison was known to him having been previously involved in a number of Public Rights of Way issues)

The Panel heard from Mr L Davison (Ramblers Association Leeds Group) who referred to Public Rights of Way issues and spoke in respect of the following:

- The temporary diversion of footpath No.90 during construction was acceptable but strict conditioning was required
- Further clarification was required around the linking of footpath No.87 to 90, the proposed route exposed walkers/ramblers to traffic which was not acceptable

The Panel then heard from Mr M Jones, the applicant's agent who spoke in support of the application and referred to the following issues:

- Referring to the public rights of way issues, Mr Jones confirmed a number of footpaths across the site had been temporarily diverted for health and safety implication whilst construction was ongoing but all paths would be retained

In response to questions and comments from the Panel, the following were discussed:

- Public Rights of Way issues required conditioning
- Could further consideration be given to the proposed play areas in the middle of the estate
- School provision was raised as a concern, one Member suggestion that it was unacceptable to plan large scale development with no consideration to school provision
- Concern was expressed that footpath No.87 appeared to run along the boundary of the motorway
- Clarification was sought on the Community Infrastructure Levy (CIL) requirement for the development, the figure referred to in Section No.9 of the submitted report appeared to be low.

In responding officers confirmed that Public Rights of Way issues would be addressed by condition, further consideration would be given to the proposed play areas in the middle of the estate, Officer's from Children's Services confirmed that there was a small number of place available within schools in the area, however, consideration was been given to the provision of a bulge cohort within these schools and there was also a proposal for a temporary expansion to Fountain Primary School. On the proposed CIL requirement, officers confirmed an amount of £957,652.99

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the conditions specified in the submitted report (with the inclusion of an additional condition relating to Public Rights of Ways provision) and following the completion of a Section 106 Agreement to include the following obligations:

- Affordable Housing (15% provision with 60/40 split)
- Travel Plan Review Fee £3,050
- Residential Travel Plan Fund (£103,141.50)
- Travel Plan Penalty £6,500
- Upgrade of Bus Shelter contribution (£20,000)
- Local Employment Provision
- On site greenspace management / maintenance(unless dealt with via conditions)

In the event of the Section 106 Agreement not having been completed within 3 months of the panel resolution to grant planning permission, final determination be delegated to the Chief Planning Officer