

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 6TH JULY, 2017**

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

Councillors S Arif, J Bentley, D Congreve,  
M Coulson, P Davey, R Finnigan, D Ragan,  
C Towler, G Wilkinson and R Wood

The Panel carried out site visits in the morning and were attended by Councillors: C Gruen, D Congreve, M Coulson, J Bentley and G Wilkinson. Councillor R Wood attended the visits at: land at Fartown (Application No. 17/02642/FU), Chevin Park (Application No. 16/04642/FU) and land off Meagill Rise (Application No. 16/06770/FU)

### **12 Late Items**

There were no late items as such. Supplementary information for Agenda Item 10, Applications 16/04643/FU and 16/04644/LI – Chevin Park, Former High Royds Hospital, Menston had been submitted.

### **13 Declarations of Disclosable Pecuniary Interests**

### **14 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor B Anderson. Councillor G Wilkinson was in attendance as substitute.

### **15 Minutes - 16 June 2017**

**RESOLVED** – That the minutes of the meeting held on 20 June 2016 be confirmed as a correct record.

### **16 Application 17/02642/FU - Land off Fartown, Pudsey, LS28**

The report of the Chief Planning Officer presented an application for the partial infilling of a former disused railway cutting using inert materials.

Members visited the site 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 to the south of Pudsey and covered a small section of former railway land.
- There was a new housing development to the south of the site and it was proposed to use material from this for the partial infill.
- The railway tunnel to the end of the site housed roosting bats and there had been significant local concern regarding this.

- Further concerns to the application had included the loss of railway heritage, proposals for a local cycleway which could be affected and the amenity of local residents during works.
- The proposed works would take no longer than two weeks and hours of work would be restricted from 8:00 am to 5:00 pm with no weekend working.

The Panel heard concerns and objections to the application from local residents. These included the following:

- There was an objection to part infill as the main objective would be a full infill and then housing development.
- The site and tunnel was ideally placed for pedestrian and cycle access and would link up with the Spen Valley Greenway and cycle super highway.
- A request to defer to give time to carry out a feasibility study for a cycle route.
- An up to date bat survey was requested.
- There was support from local schools, local Ward Members and MP for cycling routes.
- A request to defer for a feasibility study and further study for habitat and wildlife.

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

- It was reported that there had been a history of applications at the site for landfill that had previously been refused. These refusals were based on technical grounds and not principle.
- There would be significant barriers for creating a longer cycle route due to other cuttings being filled in and other developments. The land was also in private ownership and a cycle route would be subject to their permission.
- The bat survey was carried out last winter and there was confidence that the information was still accurate.

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

**17 Application 15/00297/FU - Associated Waste Management Ltd, St Bernard's Mills, Gelderd Road, Gildersome, LS27 7NA**

The report of the Chief Planning Officer presented an application for an extension to provide enclosed loading area to front elevation of materials recovery facility (no increase in annual throughput) and regularisation of as built variations to the original planning permission for a materials recovery facility.

Panel Members had visited the site prior to the previous meeting when the application was deferred to allow further consideration to be given to late information that had been submitted.

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 was originally granted planning permission in 2010.
- This application was to regularise development which had taken place and was unauthorised; to grant formal planning permission for development that had taken place that and grant planning consent for new development.
- The site plans and operation of the site were explained.
- Proximity to residential properties was shown.
- A late representation had been made from a local Ward Councillor which sought an additional condition not to bring in putrescible waste which could cause odour.
- It was reported that the proposals should alleviate some of the issues that had caused concern for local residents.
- There had been concerns that following the permission granted in 2010 that there had not been conditions on the kinds and volume of waste to be treated at the site. There was a view from objectors and local Ward Members that there should be a condition in respect of this. It was reported that this could not be done from a legal perspective.
- In summary of the application, Members were asked to consider retrospective permission for developments already done at the site and permission for the extension and whether these were acceptable in terms of design and to the amenity of local residents.
- The application was recommended for approval

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

- Local residents had suffered years of odour and noise disturbance from activities at the site.
- Local residents had suffered illness due to odours from the site.
- There was a history of non-compliance with regulations and a lack of conditions and enforcement of activity at the site.
- The site was not suitable for processing putrescible waste and odour mitigation was inadequate.
- The operator was in breach of their permit.
- In response to questions from Members, the following was discussed:
  - There was still a pending ombudsman case with regards to operations at the site.
  - Not all breaches of the permit had been recorded as the Environment Agency was not always able to respond.

- There had been reduced use of the nearby fishing pond and complaints from people using the nearby bus stop due to odour from the site.
- There was noise disturbance during the night and there was an understanding the site shouldn't be used through the night.
- The odour was caused by the treatment of putrescent waste.

The Panel heard from a representative of the Environment Agency. It was reported that the operator required an environmental permit which included conditions to minimise odour. In 2013 it was determined that odour pollution was being caused and the operator was successfully prosecuted. Following this some measures were put in place to reduce odour. It was felt more could be done in order to reduce odour and this was being explored.

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

- The site used carbon filters to prevent odour. It was not felt that this was enough.
- Should the application be refused, current operations could carry on at the site without restrictions. The application did request for odour management plans to be submitted.
- Concern of the impacts on the local community and nearby traveller's site.
- Concern regarding the treatment of putrescent waste and a request for the applicant to accept a condition not to treat this kind of waste.
- The application would alleviate the existing problems by enclosing the waste.
- With regard to conditions to the application it was reported that enforcement action could be taken where these conditions were not met

Due to the significant impact on residential amenity a motion was made to refuse the application. Following a vote this motion was overturned and Members moved to the vote on the officer recommendation.

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

*(Councillor R Finnigan requested that his vote against the recommendation to approve the application be recorded).*

## **18 Application 17/02099/FU - 38A Newlay Lane, Horsforth, LS18 4LE**

The report of the Chief Planning Officer presented an application for a detached house to the garden at 38a Newlay Lane, Horsforth.

Site plans and photographs were shown and referred to throughout the discussion of the application.

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

- The application had been referred to Panel at the request of local Ward Members following residents' concerns and impact on the conservation area.
- The existing wall to the property would be lowered to a height of 1 metre to improve visibility.
- Access to the property.
- Due to differing levels on the site the proposed dwelling would have a two storey front and three storey rear.
- There was sufficient distance between the proposed dwelling and existing properties.
- The proposals were considered acceptable for the conservation area.
- There had been objections due to the infilling of garden areas in the conservation area.
- The application was recommended for approval.

In response to a question it was confirmed that there would be a condition regarding the materials to be used.

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

**19 Applications 16/04643/FU and 16/04644/LI - Chevin Park, Former High Royds Hospital, Menston, LS29 6FS**

The report of the Chief Planning Officer presented an application and listed building application for the conversion of the former administration block and workshops to create 46 residential units, one retail unit and the erection of 25 dwellings at Chevin Park, former Royds Park Hospital, Menston.

Members visited the site 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:

- Redevelopment of the site was first granted in 2005.
- The site fell within the greenbelt area.
- All new build and most of the conversion work on the site had been completed.
- The administration block and workshops were the only listed buildings on the site yet to undergo conversion. These previously had permission for assisted living arrangements and as a commercial unit. The buildings had been marketed for these purposes but had not attracted any interest. The buildings had now begun to deteriorate and alternative use was sought.
- It was proposed to convert the administration block into 42 apartments and the workshops into 4 apartments and a retail unit.

- There would only be minor external alterations to the administration building.
- Materials on the workshop conversion would match existing materials.
- The ballroom in the administration block would be restored and available for residents use.
- Layout for the new development of 25 dwellings was shown.
- The Section 106 agreement would include phasing of the development and restoration works.
- The proposals would ensure the restoration and re-use of heritage interests.
- There would be no further affordable housing provision. To provide affordable housing would require more enabling development and further loss of green belt land.
- There would be an additional condition proposed regarding the management of the ballroom.

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

- Concerns regarding the boundary to the new dwellings. This land was currently used for amenity such as dog walking and the introduction of a new walkway was too close to current houses. This led to anti-social behaviour and health and safety concerns and it was suggested that the walkway be re-located which could provide wider access.
- Site drainage – the fields on the site did flood and needed further investigation.
- Concern regarding the elevation of the proposed dwellings.

The applicant and a supporter of the application addressed the Panel. Issues highlighted included the following:

- The administration block had been actively marketed but no assisted living provider had shown interest. Alternative options had to be sought to ensure the future of the heritage building and protect the amenity of others
- There had been extensive discussions with all stakeholders regarding the enabling development and it was felt that this was the minimum sized development that could be provided to secure the re-development of the administration block and workshops.
- It was important to see the re-use of a listed and historic building and would benefit the area and city.
- The proposals for the clock tower were an improvement on the 2005 plans.

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

- There had been two consultation events on site that had been well attended.
- Consideration could be given to moving and widening the walkway.

- There would be a range of one to three bedroom apartments, duplex and town houses in the listed building conversions.
- There would be a full renovation of the clock tower and would be maintained by the management company.
- Drainage on site was fully self-contained and surface water matters would be improved.
- Provision of a sports and social club – the developer would provide funding towards and 100% was close to being secured.
- Outstanding highways works had conditions to be completed before any further occupation.
- Concern that the original application intended a self-contained village with infrastructure and this had not been delivered.

## **RESOLVED –**

(1) That Application 16/04643/FU be deferred and delegated to the Chief Planning Officer for approval subject to the completion of a Section 106 agreement relating to the phasing of the new build and restoration of the listed building and subject to the recommended conditions and the following additional conditions:

- Details of a scheme for the maintenance and aftercare of the former ballroom.
- Details of existing and proposed levels (including ground and finished floor levels)
- Details of path/bridleway including proposals for its enclosure/boundary treatment.
- Construction methodology statement to be submitted and approved including days and hours of building operations: 8.00 a.m. to 5.00 p.m. – Monday to Friday. 8.00 a.m. 1.00 p.m. on Saturday with no building works on Sundays and Public Holidays

Panel also wanted to ensure that the conditions include the delivery of the off-site highway works and the sports and social club.

(2) That Listed Building Consent be granted in accordance with the recommendation.

## **20 Application 16/06770/FU - Land off Meagill Rise, Otley, LS21**

The report of the Chief Planning Officer presented an application for the erection of 75 dwellings (C3), public open space, landscaping and access details at land of Meagill Rise, Otley.

Members attended 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 proposals would create 75 new dwellings on land that was allocated for housing.
- The application was from a housing association and there would be 62.5% affordable housing on site.
- The application had been referred to Panel at the request of local Ward Members.
- Access to and across the site was shown.
- The mix of house types.
- Landscaping arrangements.
- There would be subterranean water storage for water run off to prevent flooding.
- There had been further objections from the local MP with regards to the impact on landscape, traffic congestion and flooding.
- The application was recommended for approval.
- There were proposed amendments to conditions relating to access during construction and for boundary treatments. Also additional conditions for hours of construction and for an approved levels plan.

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

- Main objections included the following:
  - Principle of development on this site
  - The planning inspectors view the site should not have through access
  - Difficulties due to the topography of the site
  - Off-site highways issues
  - Infrastructure
- Off-site highways concerns - there was significant congestion in Otley Town Centre, only one access across the river and concern with access to the site.
- Lack of school places.
- In response to questions from Members, the following was discussed:
  - Infrastructure could not support the development – there were not enough school places, GP/Dentist availability and highways issues.
  - Concern regarding the loss of trees
  - Flooding – there had been flooding during the past two winters and it was feared that this development would worsen flooding.

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

- The principle of developing the site for housing was long established.
- The scheme had been significantly reduced in size from an initial proposal of 135 dwellings.
- There would be support for infrastructure through Section 106 and Community Infrastructure Levy requirements.



- The scheme provided affordable housing above the normal requirements.
- The development would provide over 200 bed spaces for people in need of affordable housing. Otley currently had 400 people on the waiting list.
- There had been extensive consultation with highways. Junctions in the area did have capacity for extra traffic. Two access points to the site provided a workable solution and there would also be the introduction of a 20 mph zone.

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

- There were constraints to make off-site highways improvements.
- Visibility for access points to the site met standards.
- Conditions for access to the site for construction traffic.
- Concern regarding the use of greenfield land and impact on infrastructure.

**RESOLVED** – That the application be deferred and delegated to the Chief Planning Officer for approval subject to the completion of a Section 106 agreement relating to affordable housing provision, real time bus stop contribution, provision and maintenance of on-site greenspace, off site highway works, travel planning measures.

Additional and varied conditions:

- Condition 19 requires access from Meagill Rise to be constructed prior to any other works – also include requirement that no construction traffic shall use St David’s Road.
- Condition 28 regarding retaining structures also to include requirement for approval of all boundary treatments.
- Hours of construction – 8.100 a.m. to 6.00 p.m. – Monday to Friday and 8.00 a.m. to 1.00 p.m. Saturdays. No working on Sundays or Public Holidays.
- Levels to be as approved levels plan or as otherwise agreed in writing.

**21 Application 17/01174/FU - The Omnibus, Throstle Road North, Middleton, Leeds**

The report of the Chief Planning Officer presented an application for the change of use and alterations of former public house to form a house in multiple occupation at the Omnibus, Throstle Road North, Middleton.

The application was deferred at the previous Panel meeting to give further consideration to the following:

- How the application would meet the needs of local people.
- Further information regarding boundary treatments and landscaping

- Nature of the occupants – further information on how the properties would be marketed.
- Further site visit to look at the interior and exterior of the building.
- More details on the management of the land.
- More detail in respect of traffic and parking.

Members attended 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:

- Internal layout was explained
- The applicant would be marketing the development for professional young people with short term tenancies at low cost.
- There was no evidence to suggest there would be used as a hostel or rehabilitation facility.
- There was a lack of one bedroom housing units and these would provide opportunity for low cost housing.
- All communal areas both internal and external would be maintained twice a week.
- There was a condition for landscaping of the site.
- There was no highway concern and there would be sufficient car parking on site.
- The application was recommended for approval.

A local resident addressed the Panel on behalf of the local community with concerns and objections to the application. Issues highlighted included the following:

- The site notice was removed and local residents were not informed of the proposals.
- The applicant had declined to meet with local residents.
- There was asbestos in the basement of the building and there were no plans referring to the basement.
- Concern of who the residents would be and how they would be vetted.
- When the building was in use as a pub there was no disruption to the local school as it was only used at evenings and a weekend.
- People using the local school had previously used the car park. There were concerns for road safety should the building be used as a HMO.
- The scheme would not attract young professionals due to the distance from the City.

Members expressed concern regarding the proposed development. These included the use communal areas; that the scheme would not attract young professional people and the intensive use of the building.

Members were not against the redevelopment of the site and discussed other potential uses for development.

A motion was made to refuse the application. A discussion ensued to support the reasons for refusal.

**RESOLVED –**

- (1) That the application be refused for reasons relating to over development and impact upon amenity.
- (2) That the suggested reasons for refusal be reported back to Panel for their consideration.
- (3) That officer's continue to negotiate with the applicant to seek a more appropriate scheme of redevelopment for the site.

**22 Application 17/00983/FU - 2 Bramleigh Drive, Morley, Leeds, LS27 9PG**

The report of the Chief Planning Officer presented an application for a part two storey, part single storey side/rear extension at 2 Bramleigh Drive, Morley.

Members visited the site before 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:

- Internal layout plans were shown.
- The plans would extend the property from 2 bedroom to 4 bedroom.
- There would be 3 parking spaces to the front of the property.
- The application had been referred to the Panel following local Ward Member concerns regarding parking and highway safety. Morley Town Council had also expressed concerns regarding over development and over shadowing.
- There were no concerns from highways regarding parking and highway safety.
- Any overshadowing caused would be minimal.
- There were sufficient gaps to the boundaries of other properties.
- It was recommended that the application be approved with a condition to ensure materials match the existing property.

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

- Concern regarding impact on neighbouring properties due to over development and overshadowing.
- Concern regarding parking and it was suggested that a further condition be introduced in respect of this.

**RESOLVED –** That the application be approved as per the officer recommendation and conditions outlined in the report. Additional condition requiring that the identified parking spaces be dedicated to and kept available for the parking of cars at all times.

*During the discussion of this application, Councillor Finnigan declared an interest as a Member of Morley Town Council and informed the Panel that there was no issue of pre-determination and would be treating the application with an open mind.*

**23 Date and Time of Next Meeting**

Thursday, 3<sup>rd</sup> August 2017 at 1.30 p.m.