

## NORTH AND EAST PLANS PANEL

THURSDAY, 9TH AUGUST, 2018

**PRESENT:** Councillor N Walshaw in the Chair

Councillors S Arif, D Collins, M Dobson,  
R Grahame, D Jenkins, E Nash, K Ritchie,  
S Seary, A Wenham and G Wilkinson

### 26 **Declarations of Disclosable Pecuniary Interests**

There were no declarations.

### 27 **Minutes**

**RESOLVED** – That the minutes of the meeting held on 5 July 2018 be confirmed as a correct record.

### 28 **Matters arising from the Minutes**

With regard to concerns raised by Councillor R Grahame regarding politicised comments during the discussion on Application 16/05185/FU – 39 Austhorpe Road, Crossgates, Leeds; it was reported that a response was forthcoming.

Further to Minute No.20, Application 18/01769/FU – Swillington Organic Farm, Coach Road, Swillington, Leeds, it was reported that further correspondence had been received from Mr Bullock who had spoken in objection to the application. The Chair and Group Manager would respond.

### 29 **18/02283/FU - Position Statement - Demolition of vacant depot building; Construction of a new primary / secondary school; footbridge crossing Barrack Road; Multi-use Game Areas(MUGA), Sport pitches, Hard and soft landscaping, Car/cycle parking, Alterations to site access; Landscaping and boundary treatments Dixons Trinity Chapeltown, Leopold Street, Chapeltown**

The report of the Chief Planning Officer provided the Panel with a position statement with regards to the demolition of vacant depot building; construction of a new primary/secondary school; footbridge crossing Barrack Road; multi-use games area (MUGA); sports pitches; hard and soft landscaping; car/cycle parking; alterations to site access; landscaping and boundary treatments at Dixons Trinity, Leopold Street, Chapeltown.

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

Further issues highlighted included the following:

Draft minutes to be approved at the meeting  
to be held on Thursday, 6th September, 2018

- The proposal was for the building of a through school with 420 primary places and 560 secondary places at the site on either side of Barracks Road, Chapeltown.
- The application had recently been re-publicised due to amendments to the proposals including the introduction of a footbridge.
- The public consultation phase was ongoing.
- Further issues had been raised by Ward Members. These included the height of the proposed building, highways concerns and relationship to existing residential properties. Whilst it was recognised there was a need for more school provision it was felt that a better solution could be found.
- There was a need to progress the application as it was hoped to open the school in September 2019.
- The option to have a two building solution was dismissed by the applicant.
- Proposed layout of the site and buildings, including parking areas were shown.
- Access arrangements.
- Layout for the proposed footbridge.
- Protected trees – there was discussion to retain some of these on site and those on the boundary would largely be retained.
- The building design would have recessed areas to give the impression of bays and break down the apparent massing of the building.
- Internal layouts were explained.
- Relation to the proposed adjacent residential development.
- The closest point between the school and proposed residential development was approximately 14.5 metres and was felt compliant in terms of this.
- There would be no overshadowing of the residential properties but some shading of garden areas on an evening.
- Highways mitigation works including the introduction of crossings and keep clear markings.

A local resident addressed the Panels with objections to the application. These included the following:

- It was felt that the proposals were insensitive and had been developed without proper consultation.
- A three storey building was out of proportion to the residential character of the neighbourhood.
- There would be shadowing of gardens.
- Play areas would be facing residential properties and cause disturbance.
- Many of local road users and pedestrians in the vicinity were likely to be vulnerable and there was already significant traffic and parking issues in the area.
- The justification for the loss of greenspace was not convincing.

- Many of the objections would be withdrawn if plans were amended to have separate primary and secondary schools on separate sites.
- In response to questions from the Panel, the following was discussed:
  - It was recognised there was a need for school provision in the area.
  - It was felt that children travelling from Harehills and other places would be brought by car due to busy roads that could be dangerous to cross.
  - Concern regarding the building overlooking residential properties.
  - Traffic management and responsibility for managing this.

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

- A background of the Dixons Academy trust and its school provision in Leeds and Bradford.
- The associated benefits of having a through school with primary and secondary provision together.
- The temporary school provision on site had already been opened due to exceptional circumstances. There was a clear need for a permanent school.
- The design had evolved to compliment the proposed adjacent housing scheme.
- Staggered start and finish times would ease potential highways and parking problems.
- The NPPF supported the provision of new state schools.
- In response to questions from the Panel, the following was discussed:
  - Alternative layouts had been considered. The northern site had challenges including the high number of protected trees and changing land levels.
  - The site had been designed to give the primary aged children the maximum outdoor space without having to cross the road/footbridge at any time.
  - Access and arrangements for community use of facilities.
  - Consultation – letters had been sent to all local residents, Ward Members and the local MP. There had been a public consultation event which was widely advertised.
  - There would be difficulties to move or alter the proposed footprint of the building due to protected trees and changes in levels. This could increase the height in places and have a further impact on residential properties.
  - The closest point of the building to housing was 14 metres which was within policy guidelines.
  - Senior staff and management staff would manage traffic and parking. There was potential for arrangements for dropping off points to be aligned with the proposed footbridge.

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

- Landscaping to the west of the site – this was already landscaped and it was proposed to retain as many trees in this area to soften the impact of the development. There could be scope to slightly adjust the position of the building.
- Concern regarding parking at school start and finish times. It was acknowledged that there would be problems at peak times but there were wide carriageways and there would be introduction of traffic regulation orders where necessary.
- Members gave the following responses to questions outlined in the report:
  - The principle of development at the site was considered to be acceptable.
  - With regard to the design approach, the main area of concern related to the massing of the school building and its relationship to the boundary with the proposed housing development. It was requested that this relationship be re-visited and ways be looked at to mitigate the impact including looking at revising the siting of the building and planting and acoustic fencing to the common boundary. Concern was also expressed in respect of the treatment of the front elevation of the building.
  - It was requested that consideration be given to swapping the primary and secondary playgrounds so that the latter was adjacent to the housing scheme.
  - Proposals for the footbridge were supported and it was requested that the provision of a drop off/collection area on that part of the site to the west of Barrack Road be explored. It was also requested that further information be provided in respect of Traffic Regulation Orders in the vicinity of the Leopold Street entrance.
  - Members were content with the proposals in respect of tree retention and removal.
  - It was requested that the application be brought back to Panel for determination.

**RESOLVED** – That the report and discussion be noted.

**30 17/06402/FU - Detached dwelling land adjacent to 36 West Park Avenue, Roundhay, LS8 2EB**

The report of the Chief Planning Officer presented an application for a proposed detached house at land adjacent to 36 West Park Avenue, Roundhay, Leeds.

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 was unusual as it was a side garden area that had taken in part of an unadopted road which had previously been used as a cut through.
- There had previously been 5 appeals with regards to applications at the site, 4 of which had been dismissed.
- Key consideration needed to be given to the design and spatial setting.
- There had been further objections since the publication of the report – a summary of these was highlighted.
- The proposals were for a two storey detached house with a single storey element to the rear.
- Materials to be used.
- The design had taken account of issues that had been raised at the previous appeals.

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

- The proposed building was at a ninety degree angle to the rest of the street and higher due to the width of the property and narrow footprint.
- A condition to the application would remove permitted development rights to rear extensions and out buildings.
- Concern regarding roofing materials being different to the rest of the street.
- The previously approved appeal application was out of time for development.

**RESOLVED** – That the application be granted subject to the conditions outlined in the report and the following conditions:

- Protection and retention of boundary hedge to the front.
- Details of the junction (bell mouth design) of West Park Road and West Park Avenue to be submitted and agreed.
- Condition 3 to require roofing materials to be of a similar colour to neighbouring properties.

**31 18/00690/FU - Demolition of existing building and construction of six dwellings with associated works and new access former Garforth Clinic, Lidgett Lane, Garforth**

The report of the Chief Planning Officer presented an application for the demolition of an existing building and construction of six dwellings with associated works and access at the former Garforth Clinic, Lidgett Lane, Leeds.

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:

- There was a mix of residential properties in the area.
- The site was currently occupied by single storey buildings and had been vacant since January 2016.
- A previous application for eight dwellings (reduced to seven) had been refused. This was currently at appeal.
- The proposal was for a mix of three, four and six bedroom dwellings.
- All properties would have a minimum of two car parking spaces.
- The properties would include three storey buildings.
- Representations had been received from Ward Members and local residents. These included concerns regarding impact on highways, flood risk and loss of health provision.
- With regard to flooding it was reported that there was currently no control of surface water. This scheme would provide improved drainage.
- The applicant was happy to retain the boundary hedge. There would need to be a breach in this for access.
- The application was recommended for approval.

Councillor Dobson recused himself and spoke alongside a local resident and addressed the Panel with concerns and objections regarding the application. These included the following:

- The proposals led to over development of the area, especially with the associated highways issues.
- Over dominance of properties on Lowther Grove.
- There was a severe flooding history in the area with regular flooding events.
- The proposals would lead to further problems with parking in the area.
- The proposals were not in compliance with policy.
- In response to questions from Members, the following was discussed:
  - It was not felt that the flooding situation would be improved especially as there would be more hard surfaced areas.
  - The addition of more domestic properties was likely to increase problems that had happened with overflow of foul water waste.
  - Infill housing at this site would add to the burden of the existing infrastructure.

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

- The proposals were modest for a site of this size and there was a reasonable distance from properties on Lowther Grove.
- There had been negotiations with highways and amendments to satisfy highway safety concerns.
- The proposals did give opportunity to manage and control drainage from the site.
- In response to Members questions, discussion included the following:
  - The properties would be family houses.

- The larger properties would not necessarily be used as six bedroom properties. Rooms could be used for other purposes such as office space or storage.
- Alternative arrangements for siting the garage at Plot 2.

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

- With regard to the proposals not being compliant with Core Strategy policy H4 (Housing Mix) it was reported that this tended to apply to larger scale developments.
- There had been discussions with Yorkshire water regarding foul water drainage. Further discussion was needed to clarify a condition that would optimise the delivery of a successful scheme.
- On site water would run off to underground storage tanks.
- It was suggested that a condition be included for each of the properties to have a water butt.
- Further discussion with Yorkshire Water regarding a condition for foul water drainage.
- Withdrawal of permitted development rights in relation to Plot 6.

**RESOLVED** – That the application be granted subject to the conditions outlined in the report, officers agreeing the wording of foul water drainage conditions with Yorkshire Water and the additional conditions:

- Provision of water butts.
- Withdrawal of permitted development rights in respect of extensions to Plot 6 and for the change of use from dwelling to a House in Multiple Occupation

**32 18/02400/FU - Detached House with detached garage land opposite 130 and 132 Main Street, Shadwell LS17 8JB**

The report of the Chief Planning Officer presented an application for a detached house with detached garage at land opposite 130 and 132 Main Street, Shadwell, Leeds.

Members visited the site prior to the meeting. 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:

- Local Ward Members requested that the application be considered by Panel due to impact on the Conservation Area, residential amenity, listed buildings and highways.
- There was a variety of properties on the streetscene, many were stone fronted that made a positive contribution to the area and some were listed buildings.
- The site was previously used as a garden space and parking for 56 Ash Hill Drive which was to the rear.

- The majority of the site fell within the Conservation Area.
- There were some trees proposed for removal from the site.
- The proposed property would be constructed of stone and conditions would ensure the materials were in keeping with the surrounding areas.
- There had not been any objections from the Conservation Team.
- Highways did not expect any road safety issues.
- The boundary wall would be moved inwards which would widen the pavement and improve access.
- Trees within the site to be removed were considered to be of a low quality.
- The application was recommended for approval.

Local residents addressed the Panel with concerns and objections to the application. These included the following:

- Concern that there had not been any discussion with the Conservation Team prior to recommending the application for approval. It was felt a full a full conservation appraisal should be carried out.
- The boundary hedge needed to be retained and needed a protection area for its roots.
- The traffic report was flawed – the parking strip was for the use of 153 Main Street and not 56 Ash Hill Drive
- The report did not address the impact on the adjacent listed building. The excessively large proposed building and garage would block views.
- The housing benefit was only modest and did not offer affordable housing and should therefore be rejected.
- Effects on amenity of surrounding properties including outlook and overshadowing.
- In response to Members questions, the following was discussed:
  - The Shadwell Neighbourhood Plan was still under development.
  - The high garage roof would obstruct long distance views.

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

- The building would be constructed with reclaimed stone and slate and would be a high quality design for the conservation area and proximity to listed buildings.
- It was intended to retain the boundary hedges.
- The land was formerly under ownership and use of 56 Ash Hill Drive. The applicant now owned the land.
- The proposals all met guidance contained in Neighbourhoods for Living document.
- In response to Members questions, the following was discussed:
  - The garage height had been kept to a minimum with a pitched roof, there was some possibility of moving it within the site.
  - It would be possible to move the building a little further forward but this would lose the vehicle turning area.

- The current use for parking by the occupant of 153 Main Street was at the applicant's generosity.

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

- The Shadwell Neighbourhood Plan was currently at pre-submission stage and could only be afforded limited weight.
- Concerns regarding road safety during construction – there could be conditions to the application to resolve any safety issues.
- It was not felt that the proposals were oversized when the rest of the streetscene was taken into consideration.
- Whether the roofline of the garage could be lowered or a flat roof be used.

**RESOLVED** – That approval be deferred and delegated to officers subject to the suggested conditions and:

- A revised plan received that reduces the pitch of the garage roof.
- An additional condition requiring the submission of a construction management plan.

### **33 Village / Town Green application - Land at Gledhow Field, Gledhow Primary School**

The report of the Chief Planning Officer informed Members of a report that had been received from the Inspector following a public inquiry into the application to register land at Gledhow Field, Gledhow Primary School, Roundhay as a Town or Village Green under the provisions of Section 15(1) of the Commons Act 2006.

Members visited the site prior to the Meeting and site plans and photographs were displayed and referred to throughout the discussion.

Members were asked to determine if the recommendation contained in the Inspector's report should be accepted and the application to register land at Gledhow Field as a town or village green be rejected.

It was reported that an application was submitted in August 2015 to register land at Gledhow Field as a Town or Village Green. The Council as landowner along with Gledhow Primary School were the principal objectors to the application along with approximately 350 additional objectors. The Panel subsequently authorised the appointment of an Inspector to undertake a public inquiry and this was held in December 2017.

Members were informed of the applicant's need to pass the required statutory tests to prove their case on the balance of probabilities. If they fail to do this then the case should be rejected. Details of the statutory tests were outlined in the report and a brief synopsis was given. Members were informed of the applicant's need to prove that the land had been used as of right for sports and pastimes for a period of at least twenty years prior to and including the date of application.

Members' attention was brought to the different limbs of the statutory requirements that needed to be satisfied and reference was made to the Inspector's findings on these during the Inquiry.

The Inspector concluded that the applicant had not succeeded in making out the case that the site or any part of it should be registered as a Town or Village Green and therefore recommended that the application to register the land be rejected.

**RESOLVED** – That the Inspector's recommendation that no part of the land known as Gledhow Field be added to the register of Town and Village Greens be accepted.

**34 18/03697/FU - Garden room to rear 53 Burnhall Road, Garforth LS25 1LA**

The report of the Chief Planning Officer presented an application for a garden room to the rear of 53 Burnham Road, Garforth Leeds.

Site Plans and Photographs were displayed and referred to throughout the discussion of the application.

The following was highlighted.

- The application had been referred to Panel as the applicant was an employee of the Development Department.
- The application was for a single story garden room which would be situated to the rear of the property behind an existing garage building.
- There had not been any objections for local residents.

**RESOLVED** – That the application be granted and subject to the conditions as outlined in the report.

**35 Date and Time of Next Meeting**

Thursday, 6 September 2018 at 1.30 p.m.