

SOUTH AND WEST PLANS PANEL

THURSDAY, 20TH DECEMBER, 2018

PRESENT: Councillor C Gruen in the Chair

Councillors B Anderson, K Brooks,
C Campbell, M Gibson, S Hamilton,
J Heselwood, A Hutchison, D Ragan,
J Shemilt and P Wray

44 Declarations of Disclosable Pecuniary Interests

There were no declarations.

45 Minutes - 22 November 2018

RESOLVED – That the minutes of the meeting held on 22 November 2018 be confirmed as a correct record subject to the following amendment:

Minute no 41 – Application 18/00251/FU – Land at Snittles Farm, Gelderd Road, Leeds. Sixth bullet point to read as follows:

- The scheme had been devised to minimise noise disturbance from the motorway and the layout of properties had been designed to reflect this.

46 Application 18/04168/FU - Former Wortley High School, Swallow Crescent, Wortley, Leeds, LS12 4RB

The report of the Chief Planning Officer presented an application for 59 dwellings (use Class C3) and public open space (partial traffic regulation orders to Swallow Crescent) at the former Wortley High School, Swallow Crescent, Wortley, Leeds.

Members visited the site prior to the meeting.

It was reported that the applicant had requested that consideration of the application to be deferred to allow for further negotiation regarding the Section 106 package as there had been changes to the building costs and purchase price of the site since the application had been submitted. It was further noted that there had been issues following the site visit that could be discussed with the applicant.

Concern was expressed that the request had been made at this stage and it should be expected that the application be policy compliant with regards to the Section 106 package.

Members were asked to consider the request for deferral.

RESOLVED – That the application be deferred to allow for further discussion with the applicant regarding the Section 106 package.

47 Application 18/00846/FU - Former site of Benyon Centre, Ring Road, Middleton. Leeds

The report of the Chief Planning Officer presented an application for the construction of a mixed use retail led development comprising retail (use classes A1, A2, A3 and A5), leisure use (use class D2), non-residential institutions (use class D1) and bookmakers (sui generis) with associated access, parking and landscaping at the former site of the Benyon Centre, Ring Road, Middleton, Leeds.

The application had been considered by Panel at the meeting held in October 2018 when it had been deferred to allow for revision to the design of the units and for improved links to Middleton centre. Panel Members visited the site prior to that meeting.

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

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

- Further representations had been received both in support and objecting to the application.
- Officers were still of the view that the principle of the application was not acceptable as reported at the October meeting due to the adverse impact on Middleton Town centre.
- With regards to the design of the application there had been amendments to break up the massing with a reduced use of cladding and increased use of glazing. There had been significant amendments to the proposed A1 retail (B&M) building. The design for A1 (Lidl) remained unchanged.
- The applicant had not felt it was possible to make improvements to pedestrian links.
- It was recommended that the application be refused due to the impact on Middleton Town Centre and the loss of employment and housing land.

The applicant's representative addressed the Panel. He highlighted the following in support of the application:

- Following the Panel's previous considerations, the scheme had been amended to include more brick and glazing style finishes. This would create a more high street style shopping area.
- Occupiers had been firmed up for vacant units.
- Objections submitted on behalf of Asda had been made to protect their commercial interests.
- The proposals would only have a minimal impact on Middleton centre.

- The current B&M building in Middleton centre was no longer fit for purpose.
- Loss of housing land – the Planning Inspectorate had indicated that the Council could lower their housing need.
- The proposals were supported by local Ward Councillors and the majority of local residents.
- The scheme would create up to 140 jobs and local employment during construction. It would also generate £700k of Community Infrastructure Levy payments as well as £400k in business rates.
- More shops would encourage more people to Middleton Town Centre.

Objectors to the application addressed the Panel. Issues highlighted included the following:

- The application should rightly be refused in line with policy as there would be a 40% impact on Middleton Town Centre.
- Traders in Middleton Town Centre had objected to the application.
- There was no guarantee that the existing B&M site would be re-used.
- There was no evidence to show that employment and housing could be provided on the site.
- Increase in traffic would cause congestion and monitoring had not been carried out at the correct time to reflect what had been outlined in the report.
- Noise nuisance – different surveys had provided different figures and these should be re-done.

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

- Some Members showed support towards the application and felt that the proposals would have a positive impact on the area. It was felt that the employment opportunities and the potential to attract more customers to the area were factors that could outweigh the recommendation for refusal.
- Some concern that policy and guidelines would not be followed should the officer recommendation be overturned. The Panel received further advice with regards to this and informed that as decision makers it was for Members to decide what weight to give to each material consideration and an alternative motion to the officer recommendation would have to be tabled should a different decision be sought.
- There was still some concern with regard to the layout and design. It was reported that should the application be approved then the detailed design could be agreed with Ward Members via discharge of conditions.

There was a broad agreement across Members that other issues outweighed policy and that the application should be approved contrary to the officer recommendation. Issues highlighted included the opportunity for

employment, economic impact, the site's location to Middleton centre and the opportunity to extend the centre.

A motion to approve the application, contrary to the officer recommendation was made and seconded and following a vote it was:

RESOLVED – That the officer recommendation be overturned and the application be approved in principle as the following were considered to outweigh the recommendation set out in the officer report:

- The additional jobs growth provided by the development and the economic development it represents in the area.
- The sites location adjacent to the existing centre and the excellent links allowing for enhanced linked trips between the existing centre and the proposal site.
- The proposal site is an obvious choice to expand the centre to provide an increased range of good and services for local people, given the limitations of the existing centre.

Officers were requested to return the matter to the next available Panel to report the provisional reasons formulated by the Panel for consideration.

48 Application 18/00251/FU - Land at Snittles Farm, Gelderd Road, Wortley, Leeds

The report of the Chief Planning Officer presented an application for 87 dwellings with associated access and public open space on land at Snittles Farm, Gelderd Road, Leeds.

The application had been deferred following the previous Panel meeting to allow for the following:

- Addition of informative referring to locks on doors to confirm to Part 'Q' of building regulations.
- Addition of noise monitoring condition to ensure that post construction and prior to first occupation Noise levels within and to exterior of properties are as referred to in the Noise assessment.
- Negotiate enlargement of A6 house types to ensure 1.2sqm larger to comply with Space standards.
- Negotiate 'Pepper Potting' of affordable housing.
- Negotiate amendment to affordable house types to be more representative of all house types on estate.
- Negotiate guidance compliant garden sizes on A6 house types.

Panel Members visited the site prior to the meeting in November. 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:

- Further representations received since the last meeting.
- The layout of the dwellings had been revised with pepper potting of the affordable housing units.
- There would be 5 more 3 bedroom affordable housing units.
- Garden areas had been increased on the A6 house types and so had the footprint to meet space standards.
- The target level of 55dB was not met in 10 garden areas although this was at a negligible level. Mitigation measures included acoustic fencing and positioning of houses.
- There had not been any objections to diversions of footpaths.
- The application was recommended for approval subject to conditions outlined in the report.

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

- The condition regarding noise would be tested post completion. If noise levels were higher than projected then occupation of the properties would be prevented until further mitigation had been provided. It was further reported that noise projections were likely to have been over estimated and for there to be a significant difference then the amount of traffic on the motorway would have to double.
- There had not been any concern with regard to air pollution. Air quality assessments had been carried out across the site.
- Members discussed the possibility of extending the proposed acoustic fencing to provide a barrier to properties at plot 36 and plots 65-67.

RESOLVED - That the application be approved in accordance with the officer recommendation, conditions as outlined in the report and with the addition of a condition to:-

- Ensure the acoustic barrier to the North of the site is extended to the North to provide added protection to plot 36 and to the South to provide protection to plots 65-67.

49 Date and Time of Next Meeting

Thursday, 17 January 2109 at 1.30 p.m.