

## **SOUTH AND WEST PLANS PANEL**

**THURSDAY, 30TH MAY, 2019**

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

Councillors B Anderson, K Brooks,  
C Campbell, S Hamilton, D Ragan,  
J Shemilt, P Wray, R Finnigan and P Gruen

### **83 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

With regard to Agenda Item 7, Land at Sugar Hill Close and Wordsworth Drive, Oulton, Leeds, Councillor Anderson informed the Panel that he had been involved in discussion with local residents in his role as shadow housing spokesman and would be treating the application with an open mind and without predetermination.

### **84 Apologies for Absence**

Apologies for absence were submitted on behalf of Councillor J Heselwood. Councillor P Gruen was in attendance as substitute.

### **85 Minutes - 25 April 2019**

**RESOLVED** – That the minutes of the meeting held on 25 April 2019 be confirmed as a correct record.

### **86 Application 17/06933/FU - Sugar Hill Close, Oulton Drive, Wordsworth Drive, Oulton, Leeds**

The report of the Chief Planning Officer presented an application for the demolition of existing dwellings and construction of 70 dwellings and associated infrastructure at land at Sugar Hill Close, Oulton Drive, Wordsworth Drive, Oulton, 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.

The following was highlighted in relation to the application:

- There would be additional conditions proposed to the recommendation. These included the following:
  - Survey of existing highways
  - Alteration of existing highways
  - Phasing plan

- Further representations had been made by local residents and Ward Councillors. There had also been representations from the Outer South Community Committee and Elmet and Rothwell Labour Party.
- Further objections received included the following:
  - Inadequate bat survey
  - The properties could be renovated
  - The plans amounted to social cleansing and gentrification
- The site was constructed in the 1950s and was owned by the coal board. The existing houses were two storey semi-detached with only a few off road parking spaces. It was proposed to demolish these due to viability issues and poor standard of the properties.
- It was proposed to replace the demolished properties with 70 new dwellings on the existing road layout. Open spaces and landscaping to the south west corner would be retained.
- Proposed house types and streetscenes were displayed – there would be wheelchair accessible properties and adaptable properties.
- One of the main objections was the loss of Airey style houses. Objectors had proposed that these could be renovated. Due to modern standards and requirements for environmental improvements a much higher specification was required.
- An equality assessment had been undertaken with a survey of affected tenants having been carried out to obtain information regarding their protected characteristics. The majority of tenants were on assured tenancies and could be given 8 weeks notice.
- Twelve of the regulated tenancies had a right to be re-housed under the Housing Act and would be re-housed in new properties within the site.
- The Council would secure nomination rights for the properties to be let for the benefit of people currently on the housing list.
- The application gave rise to the Public Sector Equality Duty and Members had to be satisfied regard had been had to that duty.
- In planning terms the layout and house types all met standards and were policy compliant. Most gardens were of appropriate size with just a few smaller than required by guidance which was not uncommon in a development of this size.
- The application was recommended for approval subject to conditions and the provision of a Section 106 agreement.

Local residents, a representative of the National Union of Mineworkers and Ward Councillors addressed the Panel with concerns and objections to the application. The following views were highlighted:

- Residents had been treated with contempt and all the developer was interested in was profit.
- The existing houses were not aesthetically pleasing but were people's homes.
- Residents of the area had formed a close knit community with friends and relatives nearby.

- The proposals were causing anxiety to residents including children and this didn't meet with plans for a child friendly city.
- The plans conflicted with the National Planning and Policy Framework as the scale of harm outweighed any benefits.
- The proposals would destroy a community built up over decades and would cause massive disruption to the lives of the tenants.
- Concern for resident's futures – forced to temporary accommodation and inability to be re-housed in the local area.
- There were legitimate planning reasons for refusing the application.
- Panel Members could reach a different outcome to that proposed by planning officers whilst still being mindful of planning rules.
- Sustainability – it was not sustainable to destroy the properties to build some more.
- The Council's commitments to being a child friendly city, age friendly, inclusive growth and towards climate change.
- The loss of affordable rented homes.
- The proposed development was not sustainable in planning terms as well as moral terms.

In response to questions of the objectors, the following was discussed:

- The Council had upgraded similar properties and there was funding available towards the upgrading of properties.
- The proposals were considered by some to be social cleansing. There were multi-generational families in the area that required affordable housing and the support network offered by their families. There were no suitable options for alternative affordable housing in the area.
- There were elderly people who were not protected by a regulated tenancy.
- Resident's believed they would be in their homes long term but acknowledged no one was offered long term tenancies.
- Concern that if the application is refused those on shorter term tenancies could be evicted in any event and that the remaining estate is not maintained.

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

- There had been two years consultation with planning officers to develop the proposals and this would offer a sustainable long term housing solution.
- The current homes were considered to be defective and at the end of their life span.
- Refurbishment would be costly, disruptive and require tenants to leave their homes in the short term and would not deliver the benefits of a new home.
- The proposals were in accordance with policy including housing mix and affordable housing.

- Leeds City Council is securing nomination rights for the affordable properties.
- All existing regulated and assured tenants would be offered accessible properties.
- The proposals would create modern energy efficient homes and all homes would meet minimum size standards.
- Housing associations had agreed to take on the affordable housing and possibly the entire estate but not until it had been redeveloped.
- There would not be a wholesale demolition and redevelopment. This would be phased over a period of years. Assured shorthold tenants would be given opportunity to extend tenancies for another two years should the application be approved.
- The 11 affordable homes were in addition to re-provision of the 12 regulated tenancies who would be offered a home.

In response to questions of the Applicant, the following was discussed:

- There was a continuous maintenance programme for the properties.
- The average cost of bringing each property up to standard would be approximately £60,000 to £65,000. This would be for a lifespan of 25 to 30 years.
- Existing properties were below current regulations for energy efficiency.
- The planning application had been developed following consultation with residents and planning officers.
- There was a higher number of accessible/adaptable properties than policy required.
- Main reasons for the application at this time was to meet energy efficiency requirements and the continual deterioration of the properties and it would come to a stage where the houses could not be inhabited.
- Maintenance would be continued on houses not demolished during the phased period of the scheme.
- Any tenant who had moved in since the application had been submitted had been informed of the proposals. The company had not led people to believe the tenancies were long term.
- If the application was approved there was a guarantee that the assured shorthold tenants would have a two year extension to their tenancy and there had been discussions with housing associations for the remaining properties.
- The Council had asked the developer if there was a housing association that could manage the full site. There are two who are willing to do so but not with the existing Airey properties.
- There had been energy efficiency improvements carried out since the applicant took ownership of the properties.
- There would be further negotiation with housing associations following the planning decision.
- There had not been detailed financial discussion with Ward Councillors but there had been meetings with them present.

- The applicant was not aware of any complaints made to the Council regarding the condition of the properties.
- The applicant had been advised that the properties would deteriorate further with time. There was no finite end date that could be given as the structures of each property is failing at different rates.

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

- With regards to compliance with the National Planning Policy Framework (NPPF) guidelines to social interaction it was reported that the development would meet the criteria. There would also be pedestrian and cycle connections that would meet the healthy places requirement. The better quality housing would also be beneficial to health.
- Thousands of short lifespan Airey style houses were built in the 1940s and 1950s and many had since been demolished. These were the last unimproved Airey houses in Leeds and were of local interest. There was a local connection as W Airey & Sons was a Leeds based company. This could be considered of some significance and be termed as a non designated heritage asset, which whilst afforded some protection, are afforded less protection by the NPPF than a listed building when assessing an application.
- There had been regard and consideration as to the impact in terms of equality on the protected characteristics of those residents and how this can be mitigated. Re-housing existing residents could not be guaranteed by the Council but each case would be assessed. Average waiting times for similar housing in the area was 18 to 24 months.
- The decision was likely to be reviewed by the Secretary of State should approval be given. This was following a request by a third party for the application to be called in.
- The wider estate was originally all Airey houses and an application in 1989 granted 117 new dwellings on different parts of the estate. It was unclear as to whether the application site included the existing houses.
- The deputation that had been considered at Full Council was not included in the report as it focussed on housing issues rather than the planning proposal in particular.
- Climate change issues – there was no requirement to have detailed carbon footprint calculations in the report and the proposals met the requirements of the relevant existing and emerging core strategy policies.
- Concern regarding the proposed house types and quality.
- To evict tenants with regulated and assured tenancies there would need to be a court order and suitable alternative accommodation offered. This would include the size and type of property as well as rent levels.
- Some garden sizes would be under guidelines but this was not policy.
- 32 of the properties would be accessible with 2 more suitable for wheelchairs.

- The house types would be different to the rest of the site but followed design characteristics that would be looked for in a new housing development.
- Concern that residents could have tenancies terminated whatever the outcome of the application and that refusal of the application could in fact trigger the notices, removing the possibility of consideration of the impact on the protected characteristics and possible mitigation measures.
- Concern that the houses would not be replaced with similar houses.
- Concern by some that the proposals did amount to social cleansing/gentrification and planning policy should not be used to make people homeless. There were clear guidelines in the NPPF about health and social interaction.
- There was some heritage value in the properties.
- Concern regarding the bland design of the proposed properties.
- Concern as to whether the properties could be refurbished as this had been done elsewhere and whether rebuilding would be a more sustainable option.
- More consideration of the design and quality of the proposed properties would be welcomed along with more information on the community aspects of the application, proposals for phasing and significance of heritage aspects.

A motion was put to defer the application on issues discussed including the need for further information around design of properties, layout, housing mix, impact on residents (in order to further understand the impact under the Public Sector Equality Duty) , heritage issues, local housing need and sustainability issues.

**RESOLVED** – That the application be deferred for the following:

- More detail around design quality and layout.
- Assessment of some of the proposed garden sizes /depths
- More information on the impact on the existing community including from the developer on the mitigation they have considered e.g. timescales/phasing for redevelopment
- More consideration of the overall effect in sustainability terms e.g. energy costs/ savings involved in demolition and rebuild compared to refurbishment.
- Review of the actual housing mix need in the area (is there need for as many 4 bed houses here?)
- More information of the heritage value and significance of the existing houses

**87 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 and public open space at land at the former Wortley High School site, Swallow Crescent, Wortley, Leeds.

The item had been deferred at the meeting held on 20 December 2018 to allow for the applicant to submit a financial viability appraisal. Members had visited the site prior to that meeting.

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

- The land was owned by Leeds City Council.
- There would be a mix of two, three and four bedroom properties including terraced, semi-detached and detached.
- The access previously used for the school would remain as the access to the site.
- There had been objections to the application from local Ward Councillors and residents. These included access, highways and on street parking.
- The site was allocated for housing in the emerging site allocation plan.
- The scheme complied with national and local policies.
- There had been amendments to the original scheme and now only 13 properties had parking to the front of the properties.
- House types were displayed.
- There would be no impact on existing residents from overlooking or overshadowing.
- There had been no objection from Highways with regards to parking.
- There would be a small area of on-site greenspace.
- There would be additional parking spaces created for residents of Swallow Crescent.
- The applicant had agreed to a commuted Greenspace sum.
- A full viability appraisal had been reviewed by the District Valuer. It was concluded that all sought after Section 106 contributions could be delivered with a reduced affordable housing provision to 13.5%.
- The application was recommended for approval subject to the completion of the Section 106 agreement.

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

- The site had not yet been purchased by the applicant. The viability of the development was calculated on the existing use of the land on not the purchase price of the land.
- The provision of full affordable housing provision (15%) was preferable to the securing the sum for greenspace or the travel plan in this case.
- Concern regarding the positioning of front doors next to each other.
- That properties should be fitted with euro lock standard locks.
- There was sufficient space for bin storage.
- There is a condition for every property to have an electric charging point. It was suggested that this be amended to all parking spaces.

- Concern regarding the lack of information following the Council's declaration of a climate emergency
- The proposals were not policy compliant with regards to the reduced affordable housing and on-site greenspace.
- Whether PV panels could be put on affordable houses.

A motion was made to defer the application.

**RESOLVED** - That the application be deferred for the following:

- Renegotiation to seek provision of 9 affordable units (full policy compliance)
- Discuss design of properties to improve quality of design
- Seek agreement to use euro lock standard locks on all new properties
- Revisit location of front doors shown adjacent to each other on semi-detached dwellings
- Condition 11 – ensure requires EV charging for each parking space

**88 Applications 18/02140/FU & 18/02141/LI - Stonebridge Mills, Stonebridge Lane, Farnley, Leeds**

The report of the Chief Planning Officer presented an application and a listed buildings application for conversion of mill buildings, demolition of listed buildings to provide 30 dwellings and the construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Mills, Stonebridge Lane, Wortley, Leeds.

The applications had been presented to the Panel in October 2018 as a position statement where Members had been generally supportive of the scheme. Members visited the site prior to that meeting. The applications had been considered at the meeting held in April 2019 when they had been deferred to allow the District Valuer to be present to present their findings and to re-consider the design of properties with integral garages. Site plans and photographs were displayed and referred to throughout the discussion of the applications.

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

- To replace the properties with integral garages would have a further impact on the viability of the scheme.
- There would be an extension to the proposed size of the mill pond and there would be a link to the nature conservation area at the north of the site.
- The offer for affordable housing remained the same with an overage clause to provide for up to four more affordable houses should more profit be delivered from the scheme than currently assumed.
- The application was recommended for approval subject to conditions and Section 106 agreement.

The findings of the District Valuer were summarised in the report. The District Valuer's representative addressed the Panel and explained the methods used to reach their conclusions. Following discussion with the applicant, it was proposed there would be an overage clause in the Section 106 agreement and this would be reviewed after 50% of the scheme had been developed and actual costs of the scheme are known.

In response to Members comments and questions it was confirmed that any additional affordable housing contribution triggered by the overage provisions would be provided on site.

**RESOLVED** – That the planning application be agreed subject to Section 106 agreement (to include overage clause) and conditions as outlined in the report and that the Listed Building Application be agreed subject to conditions set out in the report.