

SOUTH AND WEST PLANS PANEL

THURSDAY, 16TH JANUARY, 2020

PRESENT: Councillor J McKenna in the Chair

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

55 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

With regard to Agenda Item 8, Application 19/03607/FU – Woodlands Farm, Woodlands Drive, Rawdon, Councillor Shemilt informed the Panel that she was aware of the application as the application site was within her Ward and as it had been presented to Rawdon Parish Council. She had not taken part in any discussion with regard to the application prior to today's meeting.

56 Election of Chair

Due to the absence of the Chair, a nomination was sought to elect a Chair for the meeting.

A nomination was made on behalf of Councillor J McKenna

RESOLVED – That Councillor J McKenna be elected as Chair for the meeting.

57 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors C Gruen and J Heselwood.

Councillor J McKenna was in attendance as substitute.

58 Minutes - 5 December 2019

RESOLVED – That the minutes of the meeting held on 5 December 2019 be confirmed as a correct record.

59 APPLICATION 19/04309/FU - 47 WESTOVER ROAD, BRAMLEY, LEEDS, LS13 3PB

The report of the Chief Planning Officer presented an application for alterations to basement level to form a new bay window and two light wells to side and rear at 47 Westover Road, Bramley, Leeds, LS13 3PB.

Draft minutes to be approved at the meeting
to be held on Thursday, 13th February, 2020

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 application originally included change of use to a 7 bedroom House in Multiple Occupation (HMO). The change of use was then amended to 6 bedroom HMO and planning was not required for this use as it was granted planning permission by a permitted development general consent.
- This application was to determine a new bay window and two light wells to the side and rear at basement level only.
- There had been objections to the application from a Ward Councillor and local residents.
- The property fell within the Bramley Conservation Area.
- All representations with regards to highways and noise disturbance were not for consideration with regard to the application. Members were asked to focus on the proposed subterranean alterations and the potential visual impact and impact on the conservation area.
- There would be lawful residential use of the basement of the property regardless of the application.
- The application had been made to improve future occupants' residential amenity and was recommended for approval.

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

- Approval would lead to problems with parking and road safety. The road was often used as a short cut.
- The property was situated by the junction which was the only safe place for traffic to pass.
- The road outside the house was an access point for refuse vehicles.
- Increasing the capacity would exacerbate problems already encountered on the highway.
- The street was a quiet family area. A HMO would disrupt the character of the environment and community.
- The Councils Housing Strategy supported sustainable communities and should protect those already in existence.

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

- There had been an increase in problems on the highway due to an increase in similar applications under permitted development in the area.
- Highways comments on the planning portal had referred to lack of cycle storage, inadequate bin storage and safety concerns with regards to on street parking.

- There were problems with junction visibility and access for wheelchair users.
- A similar case in Alwoodley had been supported for refusal by the Planning Inspector.

In response to questions, objectors felt that the proposal did not contribute towards a sustainable development approach and that a transient community would not enhance the area.

The applicant's representative addressed the meeting. He informed the Panel that the purpose of the light wells was to introduce light to the basement of the property and that matters relating to parking were not relevant in relation to this application. The light wells would be behind the boundary wall and would only have a small visual impact on the street scene.

In response to questions it was the applicant's representative reported that the proposals would have a neutral impact on the conservation area as use of the property would be similar to its previous use as a five bedroom property. It was not known if the room sizes met minimum space standards but these did not apply to HMOs.

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

- Had the HMO element not being allowed under permitted development, there would have been a recommendation from Highways for cycle storage and three parking spaces.
- It was considered that there was sufficient space for bin storage.
- There was no means of controlling the use of the basement and it could be used as a habitable space.
- With regard to whether the light wells would provide a sufficient amount of light to the basement, it was reported that a planning judgement had been made based on plans and site visits.
- Further to comments regarding the similar application in Alwoodley, it was reported that there were significant differences between the applications as that included an extension to the property and it was not comparable and should not be taken into account with regard to this application.
- Concern that granting the application would lead to problems relating to the highways and parking.
- Concerns with regards to size standards and quality of the accommodation.
- Concerns regarding the use of a basement for living and potential problems with damp and poor ventilation. It was reported that this would be regulated by building regulations.

A motion was made to approve the application in accordance with the officer recommendation. Prior to the vote being concluded an amended motion was made which was accepted by the persons who moved and seconded the

original motion, that the application be deferred to allow Members to visit the site.

RESOLVED – That the application be deferred to allow Members to visit the site.

60 APPLICATION 19/03607/FU - WOODLANDS FARM, WOODLANDS DRIVE, RAWDON, LEEDS

The report of the Chief Planning Officer presented an application for part demolition and conversion of agricultural buildings to a single dwelling house at Woodlands Farm, Woodlands Drive, Rawdon.

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 application had been referred to Panel at the request of local Ward Councillors.
- It was proposed to demolish extensions to the existing building and this area and other hard standing to the rear would form part of the garden area.
- Members were shown a CGI image of the proposed conversion. The main form of the building would be retained with new render and timber cladding.
- The site is accessed by a private drive off Woodlands Drive.
- The site is in the greenbelt and has been assessed on the basis it was an exception to inappropriate development; the re-use of the building which is of permanent and substantial construction; it preserved the openness of the greenbelt and does not conflict with the five purposes of the greenbelt. It was concluded that both these tests had been met.
- The site was in the Rawdon and Cragwood Conservation Area. Although the materials to be used were not typical of the surrounding areas, this was an existing building and the proposals would enhance what was already there.
- Visibility from the drive was restricted to the right but traffic speeds on Woodlands Drive were slow due to speed restrictions. Under the previous use as a piggery there were frequent vehicle movements and it was not felt that there would be any detriment to highway safety.
- There had been investigations to see if the access could be widened or modified but this had not proved possible due to trees.
- Representations received and concerns that not all issues posted on the planning portal were detailed in the report.
- It was felt that the proposals would enhance and preserve the conservation area and the application was recommended for approval.

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

- There had been many local objections including objections from Rawdon Parish Council.
- No local residents were supporting this application.
- Local residents' had consulted a barrister who recommended that the application be refused.
- The report was deficient with regard to effects on the conservation area and no conservation assessment had been sought.
- The significance of local heritage assets that were affected had not been considered.
- Highways advice had changed shortly before the meeting.
- A comparable conversion had been refused by the North and East Plans Panel.
- The concept of openness had been disregarded
- An independent engineers report had been disregarded
- No consideration of highways safety during the construction phase.
- The existing buildings are believed to be temporary buildings
- Previous planning permission had conditions that the site remained for agricultural development.
- The applicant had previously breached planning regulations which included the conversion of garages into a flat, felling of protected trees and the installation of a container to be used as a workshop. This led to concern that conditions to the application would not be met.
- Concern that residents had not had opportunity to participate in discussions regarding the application and that their voices had been ignored.

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

- The applicant had worked closely with planning officers to develop the proposals.
- There had been the following three main planning issues to consider:
 - Principle – impact on the greenbelt – the NPPF shows that developments such as this for the conversion of a permanent and sustainable building in the greenbelt are acceptable. Building control officers had visited the site and concluded that the building was of a permanent structure and suitable for conversion
 - Design – this was an existing building which would be improved in a contemporary style. Replacement with a more traditional style would be out of character. The existing building was recognised within the character of the conservation area.
 - Access/Highways – There had been initial concerns expressed by Highways but no suitable alternative solution has been found. On balance, access was considered to be suitable as it would not be used more intensively than in previous or existing uses of the site.

- With regard to objections that had been received, concerns regarding the suitability of the building for conversion had been addressed. Due to the demolition of the existing extensions there would be a smaller visual impact and no impact on the openness of the greenbelt.
- The proposal was for a good quality conversion that was compliant with policy and the NPPF.
- In response to questions, the following was discussed:
 - Materials – A lightweight sheet roof would replace the existing corrugated roof. There would be some additional rendering to the building.
 - Environmental improvements – there would be a requirement for a minimum of 10% renewable energy and hard standing areas would be converted to garden or grassed areas.
 - Views would be improved due to the smaller size of the building.
 - The proposed design was felt to be the correct approach. To have replicated the Victorian style found elsewhere in the area would have appeared out of character.
 - The goose pen would be for the use of the occupiers of the property.
 - Building Control officers had considered the structural integrity of the building to be suitable for conversion.
 - There were constraints in what the applicant had been allowed to develop on site and an application for complete demolition and rebuilding was likely to have been refused.

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

- The proposals were for a conversion so there was no requirement for demonstrating special circumstances for development in the greenbelt.
- Samples of materials would be submitted prior to works commencing.
- The application had been discussed with conservation officers who concurred with the conclusion that this application would enhance the conservation area.
- The application referred to by objectors, that had been considered at North and East Plans Panel differed as that included extensions to a property.
- Highways had initially advised on visibility levels from the access to the site. These were based on a 30 miles per hour road. Alternative access solutions had been investigated but it had not been possible to find an alternative. On balance it was felt that the existing access was acceptable as it already generated a degree of traffic and would do if the site was used as a smallholding.
- Concern that less radical applications within the greenbelt had been refused.
- With regard to development in the green belt, the application was for re-use and did preserve the openness of the green belt.

- The proposals did not appear to be substantially different to the existing building and removal of the extensions actually opened up the views.
- Highways use could be more intensive if the site was still used as a pig farm.
- The current building and materials were not of any quality.

RESOLVED – That the application be approved in accordance with the officer recommendation and conditions outlined in the report.

61 APPLICATION 19/03367/FU - LAND OFF MOORHOUSE AVENUE AND OLD LANE, BEESTON, LEEDS

The report of the Chief Planning Officer presented an application for 41 dwellings and 8 apartments (Use Class C3) with associated internal access, car parking and landscaping at land off Moorhouse Avenue and Old Lane, Beeston.

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 scheme consisted of 49 units which would be 2 or 3 bedrooms.
- There would be vehicular access from Moorhouse Avenue.
- The applicant intended to retain ownership of the properties and operate them as a Private Rented Sector (PRS) scheme.
- There were protected trees to the front of the site.
- There had not been any objections to the application.
- The principal of residential development had been approved by outline planning consent.
- The proposed layout had been designed in consultation with planning officers and protected trees would be retained.
- House types were displayed and considered to be of an acceptable design.
- Three of the properties did not meet guidance with regards to garden sizes. All units complied with minimum space standards.
- There would be two parking spaces per property with exception of the apartments and condition would ensure each unit had an electric charging point.
- The District Valuer had concluded that a full policy compliant scheme would not be viable for the PRS model but a contribution of £135,000 could be made. It was suggested £18,000 towards affordable housing, £107,000 towards greenspace and £10,000 for bus stop improvements. These sums could be shared differently.
- Trees that had been recommended for removal were of poor quality, there would be a full landscaping scheme with new tree planting.
- There would be a condition to ensure 10% renewable energy.

- The application was recommended for approval.

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

- It was the responsibility of an applicant to demonstrate that policy compliance was not viable and this would be referred to the District Valuer to make an independent assessment.
- Rental costs for 2 bedroom properties would range from £600 to 650 per month and 3 bedroom properties would be £750 to £800.
- Concern regarding the lack of affordable housing on site and insufficient parking spaces for the apartments.
- The price of the rents took account of maintenance and insurance and also void properties.
- A full tree survey had been carried out and there would be a condition for additional tree planting.
- Concern that the site was allocated for housing if it was not viable for greenspace and affordable housing contributions.
- Due to the PRS model, full planning gain contributions were not viable.
- If the site was developed as houses for sale, the site would be viable and meet all policy requirements with regard to planning contributions.
- There would be no on-site greenspace provision.
- Trees would be replaced at a ratio of three planted for every one removed.
- Concern that the rents were not affordable.
- Concern that the application did not meet policy requirements in relation to garden sizes, green space and affordable housing.
- A policy compliant site would be more desirable.

A motion was made to contrary to the officer recommendation to refuse the application on the grounds that it was not policy compliant in relation to garden sizes, greenspace and affordable housing contributions. This motion was seconded and subsequently voted upon.

RESOLVED – That the application be deferred to allow officers to take the application back to next available Panel to seek agreement for detailed reasons for refusal. Based upon the application not being policy compliant with regard in particular the PRS model not allowing provision of affordable housing. Reference was also made to Greenspace and Garden sizes.

62 DATE AND TIME OF THE NEXT MEETING

Thursday, 13 February 2020 at 1.30 p.m.