

## **NORTH AND EAST PLANS PANEL**

**THURSDAY, 27TH FEBRUARY, 2020**

**PRESENT:** Councillor K Ritchie in the Chair

Councillors D Collins, R Grahame,  
D Jenkins, E Nash, N Sharpe, M Midgley,  
T Smith and B Anderson

### **SITE VISITS**

Councillors Collins, Grahame, Jenkins, Nash, Ritchie, Sharpe, Midgley, Smith and Anderson attended the site visits earlier in the day.

#### **74 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of documents.

#### **75 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

#### **76 Late Items**

There were no late items.

#### **77 Declarations of Disclosable Pecuniary Interests**

No declarations of disclosable pecuniary interests were made.

#### **78 Apologies for Absence**

There were no apologies.

#### **79 Minutes - 23rd January 2020**

**RESOLVED** – That the minutes of the North and East Plans Panel held on 23<sup>rd</sup> January 2020, be approved as a correct record.

#### **80 Matters arising**

Minute 60 – 19/00867/FU Demolition of existing dwelling and construction of four dwellings, at Greystones, Park Road, Colton. It was noted that in relation to Policies EN1 and EN2 no details had yet been submitted by the applicant.

Minute 70 – 19/05419/FU Demolition of 16 apartments and 6 houses and erection of 85 apartments across two buildings comprising of 51 sheltered housing apartments and 34 general needs apartments with communal car parking and landscaping at land off Queenshill Avenue and Queenshill View, Moortown. It was noted that the Council has 100% of nominations, however this does drop to 60% after a period of time.

It was also noted that officers would feedback in relation to electric charging points for motorcycles for the redraft of the Transport SPD.

Minute 71 19/01665/FU Residential Development of 153 no. of dwellings and associated works at land off Beckhill Approach and Potternewton Lane, Meanwood. The applicant would have to adhere to the 111 agreement in relation to future job opportunities for people from the area.

**81 Application 19/07228/FU - Demolition of existing bungalow (retrospective) and erection of a pair of two storey semi-detached dwellings at Sheri Dene, Elmwood Lane, Barwick -in-Elmet, LS15 4JX**

The report of the Chief Planning Officer set out an application for the demolition of existing bungalow (retrospective) and erection of a pair of two storey semi-detached dwellings at Sheri-Dene, Elmwood Lane, Barwick-in-Elmet, LS15 4JX.

An objector had submitted further lengthy and detailed representations to the scheme. These had been provided to Members prior to the meeting. The representations had included a heritage statement which officers had not had the opportunity to fully and properly assess.

Therefore, in the interests of robust and safe decision making officers requested that Members agree to defer consideration of the application from the Panel to allow officers to make sure that the objections raised were fully and properly addressed.

**RESOLVED** – To defer the item for one cycle.

**82 Application 19/07601/FU - Change of use and alterations of single dwellinghouse (use class C3) to a House in Multiple Occupation (use class C4) at No. 8 Ecclesburn Street, Richmond Hill, Leeds 9**

The report of the Chief Planning Officer set out an application for the change of use and alterations of single dwelling house (use class C3) to a House in Multiple Occupation (HMO) (use Class C4) at no. 8 Ecclesburn Street, Richmond Hill, Leeds 9.

Members had visited the site earlier in the day. Photographs and plans were shown throughout the presentation.

The application had been brought to Plans Panel at the request of Cllr. Khan who was concerned over the removal of this family house, disturbance to residents through increased litter and concerns of anti-social behaviour due to the HMO use. His objections in full were presented at point 15 of the submitted report.

Members were advised that permission was sought to change the use of a house from a single family dwelling to a House in Multiple Occupation, allowing the 5 single bedrooms to be occupied by unrelated persons. Shared facilities would include the basement kitchen and storage space and the ground floor living room.

Members were provided with the following information:

- This is a red brick mid-terrace located in a predominantly residential area;
- Minor alterations were proposed to the external appearance which included:
  - Enlarging the existing rear basement window;
  - Converting ground floor rear door into a window;
  - Rear wall associated with basement staircase to be replaced by a lightweight fence;
  - Bin and bike storage within the rear yard.
- Three of the bedrooms would be en-suite with the two attic bedrooms sharing a bathroom;
- It was noted that all rooms would exceed the national space standards;
- 12 letters of objection and a 32 signature petition had been received. Objection comments were set out at point 14 of the submitted report;
- There is no off-street parking with this property.

Members noted that there were a couple of HMO's located within the area and that one was the subject of enforcement action.

Members suggested that if the proposal went through that 4 bins would be required 2 for waste and 2 for recycling.

A resident of Ecclesburn Street who has lived there for 30 years, attended the meeting and informed the Members that she spoke on behalf of many of the residents who were unable to attend.

The Panel were informed of the following points:

- This community is one that looks after and cares for each other with neighbours offering assistance and checking on each other;
- There have been issues with other HMO's in the area such as drinking, littering and drug users;
- These are family homes with a mix of older people and families with young children;
- No 15 Ecclesburn Road had applied to become a HMO, permission for this had been revoked;

- The resident explained that her husband was terminally ill and she did not wish for him to endure any form of anti-social behaviour or feel that they were being pushed out of the area. She went on to say that her husband, her grandson who lives with her and her community are all precious to her.

Responding to Members questions, the Panel were provided with the following information:

- The demand for these types of properties within this area is big and normally houses are only vacant for approximately 6 months;
- Parking on the street is 'outrageous' and the worry would be that this could increase if new residents have vehicles;
- The community cohesion in the area is very good, very neighbourly and caring;
- The back alley to the properties is not usually full of litter but the visit had taken place the day before the bins were due to be emptied and there are people called 'bin diggers' who rummage through the bins and leave it untidy.

The Agent attended the meeting and informed the Panel of the following points:

- This company refurbishes properties to a high standard to let to professional people;
- He understands the concerns of the residents and wants to work with the residents. He said that his company do reference checks on all their tenants, he could provide video evidence for the properties that he holds and the type of lettings they currently have;
- He said that he had been successful in letting these types of properties in Leeds. He said that if one of their tenants was causing anti-social behaviour they would evict them;
- The properties are inspected every 3 months, cleaning company are employed to ensure that the property is clean and well maintained on a frequent basis;
- The management team would work with the neighbours to ensure that the community were happy with the management of the property.

Responding to questions the agent provided the following information:

- The company manage single lets and HMO's. There are usually no problems as the properties are regularly inspected and this includes monitoring of the bin area;
- The agent had not yet consulted with the residents as he had not been given the opportunity;
- Not all the tenants in a HMO would have a car. The people who live in these types of properties are looking for good transport links to the city;
- Not all young professionals are able to afford a family house;
- Tenancies range from minimum of 6 months, however some residents do stay 3 – 5 years;

- Safety rails would be fitted to the attic staircases, all the rooms would have fire doors as per fire regulations which offer a minimum of 30 minutes protection;
- The kitchen and dining area has been designed to be adequate for 5 people to eat and cook;
- Tenants sign an agreement which also states that they will not have friends or partners staying overnight;
- Internal walls will be lined with acoustic insulation for both heat and sound.

Members were of the view that it was a long way from the attic rooms to the kitchen/dining area, this raised concerns in regards to safety, as some may opt to cook in their room.

Members noted the following points provided by officers responding to questions and comments:

- HMO Licensing guidance is used in relation to room sizes as there is no planning guidance in relation to HMO room sizes. The room sizes for this proposal are compliant with the HMO guidance and in fact the proposed rooms exceed the guidance standards;
- Originally the proposal was for 6 bedrooms. However, proposals are now for 5 bedrooms and a living room. Within the guidance there is no requirement to provide a communal living room;
- HMO Licensing Guidance includes the responsibility of the occupants and fire regulations.

Members' discussions included:

- Amenity space, which included
  - Size of kitchen/diner;
  - Size of outside space;
  - Narrowness of staircases to the attic rooms;
- Community cohesion of the area;
- Whether granting this application might cause a precedent for HMO's in the area;
- Quality of life for any future occupants and for the residents of the street;
- Fire safety issues;
- Off street parking issues;
- Concerns with the proposed design;
- Use and requirement for HMO's.

**RESOLVED** – Members moved to refuse the application for the following reasons:

- That the development would fail to provide an adequate level of amenity for the occupiers of the HMO;
- That the use of the dwelling as a HMO would harm the amenities of adjacent residents.

Members also resolved to delegate the drafting of the report for reasons of refusal to officers.

**83 Application 19/03125/FU - Demolition of existing dwelling and ancillary/domestic outbuildings and replacement with four dwellings, with layout, access and servicing at Farfield House, Wetherby Road, Bramham, LS23 6LH**

The report of the Chief Planning Officer set out an application for the demolition of existing dwelling and ancillary/domestic outbuildings and replacement with four dwellings, with layout, access and servicing at Farfield House, Wetherby Road, Bramham, LS23 6LH.

Members had attended a site visit earlier in the day. Photos and plans were shown throughout the presentation.

Members' were informed of the following points:

- Access to the site is not within the Green Belt whereas the rest of the site is;
- The farm was a family dwelling which is now vacant and has fallen into disrepair with windows smashed. The farm has had a number of extensions over the years;
- The plot is close to the village of Bramham and a Public Rights of Way;
- The proposal is for 4 dwellings 2x 2 bed dwellings and 2x 3 bed dwellings of one and a half storeys. The dwellings would be constructed of traditional materials for the area of Bramham;
- The proposed access drive would have two passing bays;
- Each dwelling would have a driveway with parking;
- Sheds to be provided to each rear garden;
- Improved landscaping to the west side of the motorway and north side of fields.

Members' attention was drawn to paragraph 54 of the submitted report which provided a number of positive aspects attached to the development.

There were no objections in relation to this application. However, at the invitation of the Chair the agent and Cllr. Lamb attended the meeting to answer any questions posed by the Panel.

The Panel were provided with the following information in response to their questions and comments:

- This is a low key environment private drive and a third passing place would be rejected. However, consideration could be given to move one of the proposed passing places closer to the bend to assist with visibility;
- Mitigation of noise from nearby major roads will be part of considerations at reserved matters;
- Nature Officer to be consulted on any changes proposed to landscaping; including appropriate development of the area and species to be used. It was noted that the Council has had a trained ecologist officer for a number of years and also tree and landscape

architects who are consulted with in relation to proposed developments;

- A previous scheme on this site had been dismissed. It was noted that there was a marked difference between that scheme and this scheme as presented;

The agent for the development said that Policy EN1 and EN2 would be considered although they are not a requirement as yet. The agent also told the Panel that engagement had taken place with the Parish Council and the Community.

Cllr. Lamb gave his thanks to the agent and the developers for their consultation with the community.

It was noted that the passing places on the access drive would be in place prior to commencement for the use of construction vehicles.

The Planning Officer in his summary informed Members that the Nature Officer would be consulted on any bio-diversity plan submitted and that this would be included as a separate condition. The agent had said that consideration of EN1 and EN2 would be given for a sustainability plan and this would need to be approved.

Members were advised that condition 9 in relation to provision and maintenance of a scheme of sustainable drainage as set out in the submitted report may not be required as the site may drain naturally.

**RESOLVED** – To grant permission as set out in the submitted report subject to the following amendments:

- Amend condition 9 in respect of the provision of Sustainable Drainage (SD) Management and Maintenance Plan to only require those plans in the event that they are necessary.
- Impose conditions requiring the submission of details in respect of bio-diversity enhancement.

**84 Application 18/06186/OT - APPEAL by Mr Patrick Waterhouse against the decision to refuse outline planning permission for a new detached dwelling at 9 Manor Park, Scarcroft, Leeds LS14.**

The report of the Chief Planning Officer requested Members to note the appeal decision for planning application 18/06186/OT – Appeal by Mr P Whitehouse against the decision to refuse outline planning permission for a new detached dwelling at 9 Manor Park, Scarcroft, Leeds LS14.

Members were reminded that they had resolved not to accept the officer recommendation and instead resolved to refuse outline planning permission for the reasons set out at paragraph 3 of the submitted report.

Members were advised that the Inspector had upheld their decision to refuse for the following reasons:

- 1) Special character of the area
- 2) Living conditions both in terms of location and proximity of trees to the dwelling. The trees had a preservation order on them.

**RESOLVED** - To not the content of the report.

## **85 Date and Time of Next Meeting**

The next meeting of North and East Plans Panel will be held on Thursday 9<sup>th</sup> April 2020, at 1.30pm in Civic Hall, Leeds.