

SOUTH AND WEST PLANS PANEL

THURSDAY, 29TH OCTOBER, 2020

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

29 Appeals Against Refusal of Inspection of Documents

There were no appeals.

30 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information on the Agenda.

31 Late Items

There were no late items.

32 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

Councillor Wray informed the Panel that his Ward colleagues had made representations with regard to Agenda Item 7, 4 Belvedere Mount, Beeston, Leeds but he would be considering the item with an open mind and without pre-determination.

33 Apologies for Absence

Apologies for absence were submitted on behalf of Councillor J Heselwood.

Councillor P Gruen was in attendance as substitute.

34 Minutes - 27 August 2020

RESOLVED – That the minutes of the meeting held on 27 August 2020 be confirmed as a correct record subject to the following amendment:

Councillor Campbell left the meeting due to loss of connection.

35 Application 20-03322-FU - 4 Belvedere Mount, Beeston, Leeds

The report of the Chief Planning Officer presented an application for the change of use from a residential property (C3) to a four bed House in Multiple Occupation (HMO) (C4) at 4 Belvedere Mount, Beeston, Leeds.

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

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

- The density of HMOs in the area had been assessed. Comparisons of density with other areas in Leeds were displayed.
- Internal and external photographs were displayed along with CGI images of proposed improvements.
- There would be no residential accommodation within the basement area. This would be used as a utility room.
- Revisions to the internal layout were explained.
- The application was recommended for approval.

In response to Members questions, the following was discussed:

- There would be no change for the demand in parking in accordance with guidelines.
- The application was felt to meet sustainable development requirements in accordance with Policy H6. The property was in a mixed community area and would not cause an imbalance to this.
- Policy recognised that there was a need for a sufficient supply of HMOs. On balance it was not felt that an additional HMO in this area would cause harm.
- It was not demonstrated that there were any environmental benefits to the application but there was also no evidence that the application would cause harm to the environment.
- It was recognised that there was a clear distinction between this area and others in the density of HMOs. It was also acknowledged that the area was covered by an Article 4 directive due to the number of HMOs. Each application for HMOs was considered on a case by case basis and it was felt there was no problem with HMOs in the area.
- There had not been any representations against the application from local residents. Ward Councillors had objected due to the need for more family housing. Over 90% of housing in the area was family housing. Based on evidence it was felt that the balance was for approval.
- It was not felt that there was such a significant demand for family housing in this area that would be prejudiced by this application.
- There was only one known case of enforcement action in the area with regard to unauthorised HMOs.
- There would be the provision of 2 standard bins and there was sufficient space for off street storage.
- There was not any evidence to suggest there was a problem with HMOs in the area.

- Policy H6 was not designed to protect family housing but to ensure that the right balance and mix could be achieved.

Members were asked to comment on the application. The following was raised:

- There were thousands of private rented properties in the area and a significant amount of these were being discovered to be unauthorised HMOs. The area was not designed for such a density of population and there were areas of deprivation. There were also significant parking and highways issues.
- The area had been chosen for Selective Licensing for a reason although there were no clear grounds for refusal.
- The application was not sustainable development. There was a transient population and no evidence of need for this kind of accommodation in the area.
- The loss of a family home would be detrimental.
- Although the Panel had been informed there would be no environmental harm, there would be no environmental benefit. There would be added pressure on greenspace and services.
- There was potential for adding to problems with parking. If there were four adults living in the property it was possible that there would be four vehicles and this would also add pressure to the highways network.
- Problems in areas with high numbers of HMOs were difficult to address and return to the previous balance.
- From a planning perspective, the external improvements and modernisations were positive but the addition of 4 independent people would be negative.
- Concern regarding the likelihood of an appeal being successful should the application be refused.
- The property could still be improved for family use.
- Concern of cumulative harm leading to issues including fly tapping and harm to amenity.
- Concern that more than 4 people could live at the property and have visitors that would lead to more parking and highways problems.

As Members' comments appeared to be aiming towards refusal of the application, the applicant was invited to address the Panel. The following was highlighted:

- There had been a number of similar applications approved in Beeston during the past six months,
- The improvements to the property would be carried out using environmentally friendly materials and there would be other improvements including insulation and soundproofing.
- The area had a large number of single people who lived in HMOs or individual flats.
- Further to concern regarding unauthorised HMOs, refusing this would not send out the right message to potential responsible landlords.

- There would be provisions in place to ensure that there would only be four people living at the property. Any more would be in breach of agreements.
- In response to questions, the following was discussed:
 - The property was not in a condition to be let out as in its current condition. It would be improved if to be a family house or HMO.
 - The property would have space and facilities for people to work from home.
 - This was the first property of its kind that the applicant would be letting so there was no track record to compare. The applicant would be willing to commit to any licensing requirements and the proposals went above and beyond the necessary requirements.
 - It wasn't considered suitable to refurbish for families. Reasons included limited outdoor space and steep steps to the basement. It was felt that the property would be more suited for four adults.
 - There were legal obligations that prevented more than four people living at the property and there would be regular checks. Tenancy agreements would be voided if more than one person was discovered to be living in one unit. Keys to the property would not be able to be copied.
 - Rents would be based on local Housing Association rates.
 - Rent would be up to double for a HMO as opposed to a four bedroom house. This would not be a net difference cost due to other costs involved with renting a HMO.

The Area Planning Manager summarised the issues that had been raised. These included a high concentration of HMOs in the area which included unauthorised HMOs; harm due to the loss of family housing; harm to community cohesion; concerns regarding car parking and a general impact on amenity. Members were advised that if they were minded to refuse the application then this would apply to other applications for HMOs in the same locality.

There was no proposer for the officer recommendation to approve the application. An alternative motion was made and seconded to refuse the application.

RESOLVED – That the application be refused on the following grounds:

The proposal will result:

- In a high concentration of HMO's
- It will erode housing balance
- Result in the loss of a family home
- Cause harm to the character and amenity of the area
- Increase demand for on-street parking
- Consequently the proposal is contrary to Policy H6 of the Core Strategy and GP5 of the UDP.

The detailed wording and issuing of the refusal of planning permission is deferred and delegated to officers.

Councillor Wray to be consulted on evidence and data relating to the existence of unregistered HMO's to help in the defence of any appeal against the refusal of permission.

Report to be presented to Joint Plans Panel in respect evidence and data sources used in assessing the existence of HMO's in communities. To include information relating to Article 4 Direction and Selective Licensing area/s.

36 Application 20-03978-FU - 37 Kirkwood Way, Cookridge, Leeds, LS16 7EU

The report of the Chief Planning Officer presented an application for a single storey extension to the front at 37 Kirkwood Way, Cookridge Road, Leeds.

The application had been referred to Panel as the applicant was a Leeds City Councillor.

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

The following as highlighted:

- The property fell within the residential part of Cookridge.
- The property was a detached house principally brick built with a slate roof and was set well back from the street frontage.
- The application had previously been approved in 2016 and this approval had now lapsed. There had not been any alterations to the previously approved application
- The application was recommended for approval.

RESOLVED – That the application be approved as per the officer recommendation.

The Chair thanked Tony Clegg, South West Team Leader who was attending his last Panel meeting before retirement. Members thanked Tony for his hard work and contribution to Panel meetings and wished him the best for the future.

37 Date and Time of Next Meeting

Thursday, 3 December 2020 at 1.30 p.m.