

## **NORTH AND EAST PLANS PANEL**

**THURSDAY, 10TH FEBRUARY, 2022**

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

Councillors E Nash, N Sharpe, M Midgley,  
B Anderson, G Almass, E Flint, A Lamb  
and D Cohen

### **SITE VISITS**

The following Councillors attended the site visits:  
C Gruen, B Anderson, E Flint, M Midgley and N Sharpe.

### **CHAIRS OPENING COMMENTS**

The Chair welcomed all to the North and East Plans Panel, she also thanked Cllr McKenna for Chairing the December meeting.

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

There were no appeals against refusal of inspection of documents.

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

It was noted that there would be a requirement for the meeting to go into private session should Members wish to discuss any of the content within confidential Appendix 1 – Agenda item 9 Single Storey side extension at The Lodge, Newsam Green Road, Newsam Green.

Appendix 1 is designated as being confidential and therefore exempt from publication under Part 4(f) of the Council's Constitution the provision of Access to Procedure Rule 9.2: Information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Personal information which identifies an individual, must not be disclosed under the data protection and human rights rules. (Minute no. 60 refers)

#### **54 Late Items**

There were no late items.

#### **55 Declaration of Interests**

No declarations of interests were made at the meeting.

**56 Apologies for Absence**

Apologies for absence were received from Cllr Stephenson. Cllr Cohen attended the meeting as his substitute.

**57 Minutes - 9th December 2021**

**RESOLVED** – That the minutes of the meeting held on 9<sup>th</sup> December 2021, be approved as a correct record.

**58 21/06408/FU - Single storey rear extension at 532 - 534 Scott Hall Road, Leeds, LS7 3RA.**

The report of the Chief Planning Officer requested Member's consideration of an application for a single storey rear extension at 532-534 Scott Hall Road, Leeds, LS7 3RA.

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

Members were informed of the following points:

- The recommendation was to refuse planning permission for the reasons set out in the report which were: Significant damage to or loss of mature trees at the site and unacceptable highway safety concerns with the proposed intensification of use of the substandard access and track serving the rear of the properties.
- The application was brought to the Panel at the request of a Ward Member, Cllr Dowson. The Ward Member was of the view that the wider impacts of the potential tree loss in the vicinity could be outweighed by the benefit that the development would bring to the applicant's business. No other comments had been received.

Members noted the following:

- The site is currently used as a car parts sales outlet that also offers repairs and fixing of parts to vehicles. These take place on the frontage of the site which forms a part of the wider access forecourt for this site and other commercial properties. It had been observed that this can cause congestion on the service road that runs in front of the commercial properties.
- Officers had no issue with the principle of the development.
- Highways had indicated concerns in relation to the access to the rear of the properties as there was limited forward visibility.
- Officers were of the view that the impact on the mature trees would be significant in relation to canopy and root coverage. It was the view that these trees although mature still had a long-life expectancy.

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

- The largest of the trees marked as T3 within the Presentation slides was noted as being 2 metres from trunk to boundary, which was considered to be very close.
- Concerns were raised that the car park seemed to be used as an area for servicing of vehicles. It was noted that there was no planning permission in place for this and legal advice would have to be sought as to whether this was ancillary to the main, established business use.

The Chair invited the Highways Officer to provide clarification on why the access was deemed to be dangerous. It was noted that access was to the rear of the properties with vehicles parked. There was a right-angled bend which allowed no visibility. There was also a small room for telecoms equipment. The track was not made up and officers were unsure of whether there were the necessary 3rd party access rights for use of the private track to the rear. All the properties on the parade use the rear as emergency access.

Members were advised that this application had been brought to the Panel for consideration at the request of a Ward Councillor who had raised material planning considerations that gave rise to concerns affecting more than neighbouring properties. This is one of the exceptions which allows a matter to be brought to the Panel at a Councillor's request, as set out in the Officer Delegation Scheme. Therefore, it was appropriate to report the application to Plans Panel for consideration.

**RESOLVED** – To refuse permission for the reasons set out in the submitted report.

It was requested that the servicing of vehicles in a public space be investigated.

**59 APPEAL DECISION SUMMARY - 19/04950/FU - Development of 58 No. apartments for retirement/lifestyle living exclusively for residents of age 55+, associated communal spaces, access from Grove Lane and new Landscaping, Land Adj. Grove Park Care Home, Grove Lane, Meanwood, Leeds, LS6 2BG.**

The report of the Chief Planning Officer presented the appeal decision summary for 19/04950/FU – The development of 58 apartments for retirement / lifestyle living exclusively for residents of age 55+, associated communal spaces, access from Grove Lane and new landscaping, on land adjacent to Grove Park Care Home, Grove Lane, Meanwood, Leeds, LS6 2BG.

Members recalled that this application had been considered at the North and East Plans Panel of 13th August 2020. The application had set out a recommendation that planning permission be granted. The Plans Panel resolved:

“To defer for an extension of time to be sought and, subsequently, further negotiations undertaken with the developers such that if this was proved to

not be acceptable to the developers, to delegate authority to officers to set out reasons for refusal of the application based on the stated reasons for referral”

However, the applicant declined to extend the time for consideration and did not engage in further negotiations with officers. Planning permission was refused on 12th November 2020 for reasons set out at Paragraph 3 of the submitted report.

The applicant lodged an appeal against the refusal of planning permission and made an application for an award of costs against the Council as it was alleged that the Council had behaved unreasonably in refusing planning permission. The Inspector allowed the appeal and granted planning permission but refused the application for costs. The letters of the Inspector’s decision were dated 13th December 2021, these were appended to the submitted report.

Members were advised that the Inspector had considered the following points:

- It was considered that the size and self-contained nature of the site made an individual approach to development appropriate.
- The form, design and layout of the building, the landscaped setting, sloping topography and use of undercroft parking would offset its visual impact from Grove Lane and nearby public footpaths.
- In relation to the site’s designation as an Urban Green Corridor, it was noted that the land is privately owned with no public access for recreation. It was concluded that the provision of a pocket park and improvements to an adjacent public right of way would be moderate enhancements to the function of the green corridor. There would also be an increase in bio-diversity gain.
- It was considered that the proposal would restrict views from public vantage points of the wider vista beyond the site and would cause moderate harm and conflicted with policies relating to the functions of the Green Corridor. It was also noted that the development conflicted with policies protecting the spatial and visual character of an area. However, the Inspector considered the proposal to be of an appropriate design. The design and layout of the building, the degree of separation and provision of landscaping would not cause unacceptable harm to the amenities of the nearest residents.
- Significant weight had been given to the provision of housing, including 9 affordable units and the specialist provision in meeting housing needs for older persons.
- The Inspector had also considered the appellant’s appeal for the Council to be awarded costs. In his decision he had concluded that the Council’s consideration of harm to amenity was not without foundation, that the Council was justified in considering the visual amenity function of the Urban Green Corridor and that the visual linkages between areas can be considered important. The Inspector had concluded that the Council had not behaved unreasonably.

Members comments included:

- It was noted that this application had been heard whilst in the pandemic, with meetings taking place on-line. There were no site visits during the pandemic with only one-dimensional drawings to assist Members' decisions. One of the Members had visited the site on their own.
- It was the view of the Panel that site visits were an important part of the process.

**RESOLVED** – To note the content of the report.

**60 Single storey side extension at The Lodge, Newsam Green Road, Newsam Green, LS26 8AG**

The submitted report of the Chief Planning Officer presented an application for the construction of a single side extension at The Lodge, Newsam Green Road, Newsam Green, LS26 8AG. The extension was to meet the identified needs of a family member. Further to Minute No. 53 for reasons relating to data protection and safeguarding these identified needs were set out in a separate confidential report presented at Appendix 1 to the submitted report for Members' consideration.

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

Members were provided with the following information:

- The proposal was for a single storey side extension. This would be set to the rear of an existing link-detached addition and measure 3.8m in width by 3.2m in depth, with a gabled roof. An existing window would be blocked up, with a new side and rear window inserted. The extension would be constructed of matching materials.
- The Lodge is a Grade II listed building set in the entrance to Leventhorpe Hall. The property dates from the mid-19th century and is constructed from ashlar sandstone with a slate roof. The house in previous years had been substantially extended to the side and rear and now included two secondary side gables, a link-detached side extension, conservatory to the rear and garden buildings.
- The scale and form proposed as part of the extension proposed was not such that it would appear over-dominant, particularly taking into account the existing extensions.
- The site is located within the Green Belt with the residential estate of Leventhorpe Hall to the west and agricultural land to all other sides. This proposal, taken cumulatively with the existing extensions, is inappropriate development in this location. However, due to special personal circumstances it was the view that these constitute very special circumstances and outweigh the harm to the Green Belt.

The Chair asked all Members of the Panel if they wished to specifically discuss any matters contained within confidential Appendix 1. All Members were in agreement that, having considered the content of confidential

Appendix 1, the Panel had all the necessary information in respect of that appendix to consider and determine the matter before them and therefore Members confirmed that they did not require the meeting to go into private session to discuss those matters.

In response to questions from Members, in relation to the publicly accessible cover report/appendices, the Panel were provided with the following information:

- It was noted that this application would not set a precedent for future applications in the Green Belt. All applications including those with very special circumstances would be considered separately, on a case-by-case basis, and would be unique to that development.
- It was noted that the only other application made by this applicant had been for the kitchen. The other applications had been made by previous owners.

Members comments included:

- Differing opinions in relation to the design of the extension
- Commended the officer for the report which provided a pragmatic approach
- Disappointment with previous planning permissions, as it was the view that The Lodge had been spoilt
- Members agreed that usually they would fight against development within the Green Belt but were of the view that the very special circumstances of this application outweighed the harm.

Following consideration of the submitted report and its appendices, including Appendix which was designated as being confidential under provisions of Access to Information Procedure Rule 9.2: Information the disclosure of which to the public is prohibited by or under another Act or by Court Order it was

**RESOLVED** – To grant planning permission as subject to the conditions listed in the submitted report.

Members were informed that listed building consent had to be applied for.

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

**RESOLVED** – That the next meeting of North and East Plans Panel will be on 10<sup>th</sup> March 2022, at 1:30pm in the Civic Hall.

*The meeting concluded at 14:15*