

NORTH AND EAST PLANS PANEL

THURSDAY, 7TH APRIL, 2022

PRESENT: Councillor C Gruen in the Chair

Councillors E Nash, B Anderson, A Lamb,
R. Stephenson, D Jenkins, J McKenna and
E Taylor

SITE VISITS

Councillors Gruen, Taylor and Anderson attended the site visits earlier in the day.

72 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

73 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

74 Late Items

There were no late items.

75 Declaration of Interests

Cllr Stephenson declared an interest in Agenda Item 7, Hybrid application for full planning permission for extensions and annexe building to existing clubhouse including changes to the car park, the construction of 35 holiday lodges with associated landscaping and parking and outline planning for change of use of agricultural land to golf course, realignment of the existing driving range, creation of adventure golf area and alterations to existing golf course to create footgolf course. He said that over the past 4 years he has had extensive discussions with officers, the applicant and objectors in relation to this application. He was of the view that he was unable to keep an open mind and had therefore sought legal advice and had decided that he would take no part in the discussions on this item.

76 Apologies for Absence

Apologies for absence were received from Councillors Almass, Flint, Sharpe and Midgley.

Councillors Jenkins, Taylor and McKenna attended the Plans Panel as substitutes:

- Cllr Jenkins for Cllr Flint
- Cllr Taylor for Cllr Almass
- Cllr McKenna for Cllr Midgley

77 Minutes - 10th March 2022

RESOLVED – To approve the minutes of the meeting held on 10th March 2022, as a correct record.

78 Application 21/03290/FU - Retrospective application for the installation of one awning and two parasols and alterations to the rear extension including new down pipes, parapets to the roof and modifications to the fenestration at 138 Harrogate Road, Chapel Allerton, Leeds, LS7 4NZ

The Chair had decided to take this item first.

The report of the Chief Planning Officer presented a retrospective application for the installation of one awning and two parasols and alterations to the rear extension including new down pipes, parapets to the roof and modifications to the fenestration at 138, Harrogate Road, Chapel Allerton, Leeds, LS7 4NZ.

The Panel were informed of the following points:

- At the North and East Plans Panel of 11th April 2019, Members had considered the application for change of use and extension of this property from a shop and 3 apartments to a delicatessen/salumeria. The application had been brought to the Panel as there were concerns that the application would create a 100 seater restaurant that would cause issues in relation to parking, servicing and harm to the historic building. Local objections had been received to the application. Following the decision at Panel, Planning permission was granted in May 2019.
- In 2019 a Section 73 application was made for the variation of Condition 3, the opening hours of the restaurant. This was heard at Panel on 8th October 2020, where Members resolved to grant planning permission in accordance with the officer recommendation but required that an additional condition be imposed to restrict the erection of awnings/ canopies, or any other structures, other than tables and chairs on the outdoor terrace area or garden without planning permission.
- A remote-controlled awning which is 5m wide and, when open has a projection of 3.7m had been installed above the first -floor terraced area and two overhanging parasols had been erected on the garden space. The parasols were approximately 2.6m in height and when open had a spread of approximately 3.5m.
- A number of minor alterations had been made to the design of the side extension including a parapet that has been constructed above the

roof, a new down pipe and a larger window in place of a small window as shown on the approved plans.

- The property is a traditionally designed building located within the town centre of Chapel Allerton, it is said to be one of the oldest buildings in the town centre and was historically a farmhouse.
- The property forms part of a row of retail and food and drink units. It has a traditional shop frontage to Harrogate Road with the bulk of the building and garden area set to the rear.
- Chapel Allerton is part of a conservation area, a public footpath is used to access the garden area. It was noted that the conservation officer had raised no concerns.
- A number of residential properties back on to the garden area, most of the objections had been received from these properties for the previous application. However, it was noted that no objections had been received to this application.
- The awning would be used for protection from sunlight and rain, it was a lightweight structure that did not overwhelm the building. The parasols were the same as those used by other public houses and restaurants.
- No concerns were raised in relation to the parapets or the down pipes.
- The restriction of 9pm for the outside terrace was not detrimental to noise in this location as it is a busy town centre.
- Highways had no concerns as there were no significant parking demands.

Mr Salaris the applicant was present at the meeting and invited to answer questions from the Panel.

In response to questions from the Panel the following was discussed:

- It had been the view of the Panel who had granted planning permission that these premises would enhance the area. The original permission had been for major structures and had not included awning or parasols.
- Members were of the view that 9pm was inflexible and could be detrimental to the business. Mr Salaris said that this was a family orientated business and at the previous Panel he had offered the closing of 9pm for the outside area due to conflict from residents. However, during the warm sunny weather he would prefer to open longer, he said that if there were complaints of noise, he would address them. Members discussed whether the garden area should stay open until 10pm or 10:30pm.

The Panel received advice from the Planning Officer in relation on how they should proceed with their recommendation.

The Planning Officer advised that the restrictions in relation to opening hours attached to previous planning permissions would remain unaffected by any permission granted and would need to be amended as appropriate through further applications outside of the granting of the permission for the application before Panel. The Planning Officer advised that Members could

however note that they were satisfied that any such applications would not need to be referred to Plans Panel given the discussion.

RESOLVED – To grant permission for the variation to planning permissions as set out in the submitted report and for the variation to the use of the outside space until 22:30.

To note that Members were content for planning officers to determine any future planning applications for a variation of outdoor opening hours up to 22.30 hours at the application site under delegated powers.

79 Application 18/06617/FU - Hybrid application for full planning permission for extensions and annexe building to existing clubhouse including changes to the car park, the construction of 35 holiday lodges with associated landscaping and parking and outline planning for change of use of agricultural land to golf course, realignment of the existing driving range, creation of adventure golf area and alterations to existing golf course to create footgolf course.

The report of the Chief Planning Officer presented a hybrid application for full planning permission for extensions and annexe building to existing clubhouse including changes to the car park, the construction of 35 holiday lodges with associated landscaping and parking and outline planning for change of use of agricultural land to golf course, realignment of the existing driving range, creation of adventure golf area and alterations to existing golf course to create footgolf course.

Members had attended a site visit earlier in the day.

The Chair advised the Panel that since the publication of the agenda the applicant had requested the item to be deferred due to them wishing to put forward further information and as a result of the inability of the applicant or the agent to attend the meeting due to personal commitments.

The Panel were asked if they were willing to defer this item to a date not specified.

RESOLVED – To defer the application to a date not specified.

The Chair said that, although site visits had already taken place, there would be an opportunity for a further site visit when the application is brought back to Panel.

80 Date and Time of Next Meeting

RESOLVED – That the next meeting of North and East Plans Panel will be on Thursday 12th May 2022 at 1:30pm, in Civic Hall.

The meeting concluded at 14:00