

## **Plans Panel (East)**

**Thursday, 11th February, 2010**

**PRESENT:** Councillor G Latty in the Chair

Councillors D Congreve, R Finnigan,  
P Gruen, M Lyons, J Marjoram, K Parker,  
A Taylor, P Wadsworth and D Wilson

### **157 Chair's opening remarks**

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

### **158 Late Items**

There were no formal late items, however Panel Members were in receipt of the following additional information to be considered at the meeting:

Application 09/04286/FU – 164 Ring Road Halton LS15 – written representations on behalf of the applicant

Application 09/04016/FU – Land off First Avenue Bardsey LS17 – plans and photographs submitted by an objector

Application 09/03976/FU – Spear Fir Bardsey LS17 – written representations on behalf of an objector

### **159 Declarations of Interest**

The following Members declared personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct:

Agenda item 7 – Report on recent appeal decisions for householder applications from 1<sup>st</sup> June – 31<sup>st</sup> December 2009 – Councillor Finnigan declared a personal interest as a member of Morley Town Council which would have been consulted on some of the applications referred to in the report (minute 163 refers)

Application 09/04286/FU – 164 Ring Road Halton LS15 – Councillor Lyons declared a personal interest through having requested this matter to be considered by Panel (minute 165 refers)

Application 08/05352/FU – 63 High Ridge Park Rothwell LS26 – Councillor Wilson declared a personal and prejudicial interest through having met the applicant (minute 166 refers)

Application 09/01462/FU – Peel Street/Melbourne Street Morley LS27 – Councillor Finnigan declared a personal interest through being a member of Morley Town Council which had objected to the proposals (minute 169 refers)

Applications 09/00214/LI and 09/00216/FU – The Grange The Green Seacroft LS14 – Councillors Congreve, Lyons and Wadsworth declared personal interests through being members of the West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 170 refers)

## **160 Minutes**

**RESOLVED** - That the minutes of the Plans Panel East meeting held on 14<sup>th</sup> January 2010 be approved

## **161 Matters arising from the minutes**

With reference to minute 153 of the Plans Panel East meeting held on 14<sup>th</sup> January 2010 - residential development at Easterly Mount Gipton - the Head of Planning Services stated that the points raised by Members during the discussions on that application would be included in a report to be submitted to Executive Board on 9<sup>th</sup> April 2010. The policy on waiving contributions for schemes of up to 50 units which provided 100% affordable housing had been approved by Executive Board in February 2009, with a requirement for it to be reviewed after one year

The Head of Planning Services reiterated the advice which had been given to Members during consideration of the application; that Executive Board could not make policy which bound the Plans Panel from exercising its function. However he stated that the report could have been worded more clearly in this respect and that Members' views would be referred to Executive Board

Members discussed the matter and welcomed the referral to Executive Board with the view being expressed that the report had clearly indicated the approach that Panel had been expected to take on the matter

## **162 Request for a site visit**

The Chair reported that a request to defer consideration of application 09/04871/FU – 36 West Park Avenue Roundhay LS8 for a site visit had been received from Councillor Lobley to consider the style of the house in relation to neighbouring properties on the edge of the Conservation Area

**RESOLVED** - To defer consideration of the application to the next meeting to enable a site visit to take place

## **163 Report on recent Appeal Decisions for Householder Applications from 1st June 2009 to 31st December 2009**

The Panel considered a report of the Chief Planning Officer setting out the results of appeals decided within the Plans Panel East area for householder applications from 1<sup>st</sup> June to 31<sup>st</sup> December 2009

Members were informed that 46 decisions had been issued by the Planning Inspectorate in relation to householder applications with 32 appeals being dismissed, 13 being allowed and one split decision. The Panel noted that in all cases the decisions had been taken under delegated authority

The decisions had indicated that issues around development within the Green Belt; streetscene and character of an area were particularly important

In response to a question on whether the phrasing of policies needed to be considered in light of these appeals, Members were informed that the decisions were being considered against the Design Guide and that the increasing number of Conservation Area appraisals which were being carried out together with the Village Design Statements which existed, were helping to raise the quality of developments within the city

**RESOLVED** – To note the report and the comments now made

**164 Application 09/01678/OT - Appeal against refusal of planning permission for the erection of a single dwelling house on land at 16A Church Lane, Bardsey Leeds LS17**

Further to minute 143 of the Plans Panel East meeting held on 14<sup>th</sup> January 2010 where Members received a verbal update on a recent appeal decision on land at 16A Church Lane Bardsley LS17, the Panel considered a report by the Chief Planning Officer

**RESOLVED** - To note the report

**165 Application 09/04286/FU - Part two storey, part single storey rear extension and two storey side extension, 164 Ring Road, Halton LS15**

Further to minute 144 of the Plans Panel East meeting held on 14<sup>th</sup> January 2010 where Panel agreed to defer consideration of the application pending a site visit, Members considered a report of the Chief Planning Officer

Plans, drawings, photographs and shadow diagrams were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for rear and side extensions at 164 Ring Road Halton LS15

Members were informed that the original application had been for larger extensions and that the proposals before Panel had been reduced to the extent that the rear extension if built on its own, could be constructed under permitted development

The Panel heard representations from the applicant's agent and from a representative on behalf of an objector

Members discussed the following matters:

- the need to consider the application as it had been submitted rather than concentrating on the side extension
- the amount of control the Local Planning Authority (LPA) could exercise on permitted development
- the impact of the proposals on the neighbouring property particularly due to the small size of the garden
- the loss of sunlight to 162 Ring Road and the detrimental effect this would have on the health of the resident due to an existing medical condition
- whether the proposals could be amended further to protect the amenity of the adjacent property
- the possibility of including a condition requiring the removal of the existing hedge

Members were informed that that unlike the Planning Inspectorate, the LPA did not have the option to make a split decision on an application and that the LPA could not look at the planning merits of any proposal which constituted permitted development

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report and an additional condition requiring the removal of the boundary hedge

**166 Application 09/05352/FU - First floor side extension, 63 High Ridge Park, Rothwell LS26**

(Having declared a personal and prejudicial interest, Councillor Wilson withdrew from the meeting)

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a first floor side extension to 63 High Ridge Park Rothwell LS26 in order to meet the needs of a child with disabilities who required constant supervision

Whilst the proposals were contrary to planning guidelines, Officers were of the view that in this case, the personal circumstances constituted a material consideration which outweighed the presumption against the grant of planning permission

Concerns were expressed by Members that usually a proposal of this type was resisted on the grounds that it could lead to a terracing effect and that if agreed, that this should not set a precedent. It was noted that on the previous application (minute 165 refers) the medical condition of a neighbour had not been taken into account

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report

(Councillor Wilson resumed his seat in the meeting)

**167 Application 09/03534/FU - Change of use of shop and upper floors to hot food take away with ancillary storage and offices over with flue to roof and part new shop front at 327 Harehills Lane, LS9**

Further to minute 133 of the Plans Panel East meeting held on 10<sup>th</sup> December 2009 where Panel did not accept the Officer's recommendation to approve the application for a change of use and alterations to form a hot food take away at 327 Harehills Lane LS9, Members considered a further report

Officers presented the report and referred to the concerns raised by Members at the meeting in December. The police had been contacted and there was no record of incidents in the vicinity to warrant pursuing a reason for refusal based upon disturbance and nuisance. A suggested reason based upon impact on residential amenity was proposed for Members' consideration

**RESOLVED** - That the application be refused for the following reason:

The proposed development would result in a hot food take away in close proximity to residential properties. The nature of an A5 use results in a relatively high turnover of customers during hours of the day and night, being frequented by both pedestrians and vehicle borne customers. In the opinion of the local planning authority it is considered that the proposed development would by reason of its siting at the end of a terrace and its relationship to existing residential properties would result in an adverse impact on the residential amenity of residents living close to the site by reason of noise and disturbance generated by the comings and goings of

customers to and from the proposed site. The development is therefore contrary to Policies GP5 and SF15 of the Leeds Unitary Development Plan Review

**168 Application 09/04658/FU - Change of use and alterations of basement to one 2 bedroom flat with lightwell to front, 106 Harehills Avenue, LS8**

Further to minute 132 of the Plans Panel East meeting held on 10<sup>th</sup> December 2009 where Panel deferred consideration of the application for further information, Members considered a further report

Plans and photographs were displayed at the meeting

Officers presented the report and stated that in relation to Members' previous concerns relating to light, ventilation and headroom, these issues had been considered. Environmental Health Officers were satisfied with the size of the windows and that the property could be adequately lit and ventilated. In respect of the headroom, the floor to ceiling heights at 2.4m were considered to be generous, although some lowering of the existing ground level would be necessary to achieve this

Members commented on the following matters:

- the need for consistency across the city with concerns that in some areas such a proposal would not be given serious consideration
- that the proposal was abhorrent and that there had been local opposition to it
- that much was being done to improve the area and the quality of life for residents and that this proposal ran counter to this aspiration
- concerns about parking provision

**RESOLVED** – That the Officer's recommendation to grant planning permission be not accepted and that the reasons for refusal be delegated to the Chief Planning Officer based upon Panel's concerns relating to the poor standard of living accommodation and inadequate parking provision

**169 Application 09/01462/FU - Variation of Condition 22 (laying out of car parking area) of Application 07/03669/FU, Peel Street/Melbourne Street, Morley LS27**

Further to minute 148 of the Plans Panel East meeting held on 14<sup>th</sup> January 2010, where Panel was minded not to accept the Officer's recommendation to approve the variation of condition 22 of application 07/03669/FU relating to car parking provision at a residential development at Peel Street/Melbourne Street Morley LS27, Members considered a further report. Included with the report circulated to Members prior to the meeting was a series of photographs which formed a parking survey which had been carried out by Highways Officers on Saturday 16<sup>th</sup> January 2010, to assess the levels of car parking in the area

The Panel's Lead Officer presented the report and stated that the survey had shown that the development did not cause on-street parking problems and that there was sufficient car parking to service the development. Whilst the developer had put the Panel in a difficult position, the application had to be considered on its merits and it did comply with the Council's car parking guidelines

Members commented on the following matters:

- the weather conditions on the day of the survey, with the Panel's Highways representative stating that the weather was not so bad as to influence the outcome of the survey
- concern at the lack of enforcement in respect of the original application
- the possibility of an award of costs against the Council if reasons for refusal could not be substantiated at a subsequent appeal and the need for the Council to be mindful of how its money was spent

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report and an amendment to condition 16 to require parking areas to be made available for use immediately

**170 Applications 09/00214/LI & 09/00216/FU - Demolition of listed stable building and change of use and addition of two extensions to vacant education centre (listed) to form 84 bed Care Home with car parking at The Grange, The Green, Seacroft LS14**

Plans, photographs, drawings, graphics and an artist's impression were displayed at the meeting. A site visit had been undertaken earlier in the day which some Members had attended

Officers presented the report which sought permission for the demolition of a listed stable building and change of use and extensions to a Grade II listed building - The Grange – to form a care home in Seacroft LS14

Members were informed that The Grange would be used to house the main services associated with the care home and would be returned to its original condition, including the reinstatement of a natural slate roof and the repair and reinstallation of the original oak staircase

Two and three storey brick built extensions to the east and west of The Grange would house the bedrooms and communal areas of the development, with the extensions being linked to The Grange by lightweight, glazed corridors

Officers were satisfied with the scale and massing of the proposals and were of the view that The Grange had been respected within the scheme and that reflections of some of its elements, eg the window treatment would be replicated on the extensions

Panel was informed that Ward Members were supportive of the proposals and attention was drawn to the comments from several of the amenity societies regretting the loss of the Grade II listed stable building

**RESOLVED -**

Application 09/00214/LI

To approve in principle the listed building consent for demolition of the stable building and extensions/alterations to The Grange and to defer and refer the application to the Department of Communities and Local Government as a demolition application of a Grade II listed building and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report, should the Secretary of State decide not to call in the application for determination

Application 09/00216/FU

To approve in principle the full planning application relating to the change of use, alterations and extensions to The Grange and to defer and delegate approval to the Chief Planning Officer subject to the conditions set out in the submitted report

and following the completion of a Section 106 Agreement (within a 3 month period) to secure the following:

- public transport contributions (£36,141)
- reinstatement/repair of the original oak staircase
- off-site footpath improvements
- travel plan (with £2,500 monitoring fee)

**171 Application 09/04265/FU - Change of Use of part of living accommodation and part of shop to Take Away Hot Food Shop, involving new shop front, flue to rear, new vehicular access and additional customer car parking to serve proposed Take Away Hot Food Shop at 12 Church Lane, Swillington LS26**

Plans, drawings and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a change of use of part of living accommodation and part of shop to form a hot food take away with additional customer car parking and new vehicular access at 12 Church Lane Swillington LS26

Members were informed that 252 letters of representation had been received in respect of the application and not 231 as stated in the report; the petition referred to in the report contained 326 signatures of local residents in support of the application and not 66 as previously indicated

It was also noted that the site location plan appended to the report was incorrect and showed only part of the site

If minded to approve the application, Officers requested the deletion of condition 13 – restricted implementation of current permission or permission 08/04883/FU – as this was no longer necessary as both permissions could not physically be implemented together

Officers referred to a revised plan which indicated the provision of 7 off-street car parking spaces with one space being suitable for disabled parking

Members were informed that Environmental Health Officers had considered the application and were satisfied with the introduction of the proposed extraction equipment

In respect of opening hours (08:30 – 22:30 seven days a week) these accorded with the guidelines

Members commented on the following matters:

- that the premises were located in a residential area and that the proposals could be seen as an attempt to create a parade of shops
- the proposed opening hours and delivery times with concerns being raised that these were not reasonable due to the nature of the area
- that the parking was inadequate
- that the proposals could lead to noise nuisance and disturbance
- concerns at paragraph 10.3 of the submitted report and that the purpose of planning should be to improve the situation not to minimise detriment

As Panel was minded to refuse the application, the Chair invited the applicant who was in attendance, to address the Panel

Members considered how to proceed

It was proposed that the application should be refused

Following an equality of votes, the Chair used his casting vote against refusal of the application

Members considered a proposal to approve the application subject to amending condition 5 of the submitted report to further restrict the opening hours and to add a direction regarding future applications for extension to the opening hours

Following an equality of votes, the Chair used his casting vote in favour of the application

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report and following deletion of condition 13; an amendment to condition 5 to restrict the opening hours to 17:00 – 22.30 and so worded to prohibit opening outside of these hours together with the addition of a direction that future applications for extension to opening hours were unlikely to be viewed sympathetically due to the proximity of residential properties and that planning permission had only been granted in this instance due to its location next to the existing shop

(Under Council Procedure Rule 16.5 Councillors Congreve, Gruen, Lyons and Parker required it to be recorded that they voted against the matter)

#### **172 Application 09/04018/FU - Engineering works to form Flood Storage Area, land off First Avenue, Bardsey LS17**

Plans of the proposals were displayed at the meeting

Officers presented the report which sought permission for a compensatory flood storage area relating to an approved residential development at land off First Avenue Bardsey LS17 which was located in the functional floodplain; the Green Belt and was designated as a Special Landscape Area

Members were informed that following receipt of additional information, Yorkshire Water had no objections to the proposals

As the S106 Agreement had not yet been completed, Officers requested an amendment to the recommendation to defer and delegate final approval to the Chief Planning Officer

The Panel heard representations from the applicant's agent and an objector who attended the meeting

Concerns were raised that a representative from the Environment Agency was not present to respond to questions from the Panel

Councillor Finnigan requested a site visit to properly consider the issues

**RESOLVED** - That consideration of the application be deferred to the next meeting to enable a site visit to take place and that the Chief Planning Officer be asked to invite a representative of the Environment Agency to attend to respond to issues raised by the Panel

#### **173 Application 09/03138/FU - Three 4 bedroom detached houses with integral garage to rear garden and replacement detached double garage to existing dwelling at 10 Elmete Avenue, Scholes LS15**

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought permission for the erection of three 4 bedroom detached houses to rear garden and replacement detached garage to existing dwelling at 10 Elmete Avenue Scholes LS15



Details of the extensive planning history of the site; the proposed house types and materials were provided and Members were informed of a revision to the siting of plot 1 which had now been moved 2 metres to the east, so increasing the distance of the plot from the side boundary of 8 Elmete Avenue

The Panel heard representations from the applicant's agent and an objector who attended the meeting

Members commented on the following matters:

- that the proposals represented further 'garden grabbing' from that which had occurred to develop houses on Elmete Croft
- the proposed access arrangements and the suitability of these for service and emergency vehicles
- the proposals for refuse collection
- that the proposals were over-intensive; intrusive and would have a detrimental impact on residents' amenity and the character of the area
- that a smaller scheme might be more acceptable
- that the application should be refused and that if appealed, the Panel's decision should be tested at a Public Inquiry

The Panel's Lead Officer informed Members that the recommendation before them was a product of the planning history of the site. Two previous applications had been refused, with one being the subject of an appeal which was dismissed. The Panel was advised that if it was minded to refuse the application, the reasons for refusal would need to be given careful consideration. To assist in this matter a further report containing information on the Planning Inspector's decision of 2006 and a site visit was suggested

Regarding a possible appeal if the application was refused, Members were informed that it was for the Inspector to decide on the method to be adopted in planning appeals

The Panel considered how to proceed

**RESOLVED** - That the Officer's recommendation to approve the application be not agreed; that a site visit be arranged prior to the next meeting and that the Chief Planning Officer be asked to submit a further report containing information on the appeal decision of 2006 and setting out possible reasons for refusal of the application based upon the concerns raised by Panel relating to harm to character and overdevelopment

**174 Application 09/00500/FU - Erection of two 4 bedroom dwelling houses and three 3 bedroom houses and change of use of building, including extensions, to form one 4 bedroom house & Application 09/00501/CA - Conservation Area application for demolition of workshops and storage buildings at rear of 134 - 140 High Street, Boston Spa LS23**

(Prior to consideration of this matter, Councillor Wilson left the meeting)

Further to minute 58 of the Plans Panel East meeting held on 27<sup>th</sup> August 2009 where consideration of the application was deferred for further consideration of highways issues, the Panel considered a further report

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought demolition of workshops and storage buildings and the erection of a small residential development comprising 6

properties at the rear of 134 – 140 High Street Boston Spa LS23, which was situated in the Boston Spa Conservation Area

Members were informed that the proposals were in line with the character of the surrounding area which comprised tightly knit and high density housing. Officers were of the view that the development would not have a detrimental impact on amenity and that in terms of highways safety, this had been considered and Highways Officers had raised no objection to the proposals

Officers reported the comments received from Boston Spa Parish Council relating to highways concerns and that a previously proposed one-way access through the site should be reconsidered by the applicant

The Panel heard representations from the applicant's agent and from Councillor John Procter who objected to the proposals

Members discussed the following matters:

- access arrangements, including refuse collection and the implications on the highway; surrounding businesses and the character of the area
- that the proposals being recommended by Officers would result in six properties being accessed from an existing private drive; that this did not accord with the Council's recently adopted Street Design Guide Supplementary Planning Document (SPD); the recent appeal decision allowed on 16A Church Lane Bardsey (minute 164 refers); the relevance of this SPD in view of these two applications and that having been adopted, the Street Design Guide should be rigorously implemented

The Panel considered how to proceed

**RESOLVED** - That the Officer's recommendation to approve the application be not accepted and that the Chief Planning Officer be asked to submit a further report to the next meeting setting out possible reasons for refusal of the application based upon the concerns raised regarding highway safety and inadequate provision for refuse collection causing harm to the character and appearance of the area

**175 Application 08/06412/FU - Amendment to siting and design of plots 145 and 146 from approved scheme (33/555/05/RM) within the Allerton Bywater Millennium Village development located off Station Road, Allerton Bywater**

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for amendments to the siting and design of two plots from that approved as part of application 33/555/05/RM within the Allerton Bywater Millennium Village scheme

Members were informed that the amendments were necessary due to the presence of a main drain and that a 30 degree rotation in the siting of these two houses was necessary to overcome this issue

Revisions to the design of the houses had been proposed which would see the deletion of the front projecting glazed box at first floor level and the external balcony sited above that structure

The proposals would result in a separation distance from the properties to the adjacent bungalows of 14.7m, with the usual separation distance being 10.5m

The Panel heard representations from the applicant's agent and from Councillor James Lewis

Members commented on the following matters:

- that the proposals would lead to loss of privacy for the residents of the adjacent bungalows
- that the two properties should be built elsewhere within the large site
- that the view from Station Road should not be compromised
- that the proposed visual changes detracted from the scheme
- that further negotiations should take place with all parties

**RESOLVED** - That determination of the application be deferred to enable all parties, including Ward Members, to enter into further negotiations to resolve the issues of overlooking and that a further report be submitted to Panel in due course

**176 Applications 09/04825/CA & 09/04828/FU - Demolition of children's nursery and erection of detached single storey children's and community centre with additional car parking, East Building, Deepdale Lane, Boston Spa, Wetherby LS23**

Plans, photographs and drawings were displayed at the meeting

Officers presented the report which sought permission for the demolition of a single storey wartime hut currently used as a children's nursery and the erection of a detached single storey children's and community centre with car parking at Deepdale Lane Boston Spa which was situated in the Boston Spa Conservation Area

Members discussed the car parking arrangements and whether this would be adequately planned

The Panel's Highways representative stated that the car park would be formally laid out which would be an improvement on the existing situation

**RESOLVED –**

Application 09/04828/LA

To approve in principle and to defer and delegate approval of planning permission to the Chief Planning Officer subject to the Secretary of State, Department of Communities and Local Government consideration of application for Conservation Area consent and subject to the conditions set out in the submitted report

Application 09/04825/CA

To defer and refer approval of the Conservation Area consent to the Secretary of State, Department of Communities and Local Government

**177 Application 09/04999/FU - Outline application for Residential (C3); Employment (B1c); Health Centre (D1); Foodstore (A1); ancillary uses (A1/A2/A3/A4); Community Building (A4/D2); associated car parking, landscaping and infrastructure to part of the former Vickers Tank Factory, Manston Lane, Crossgates LS15**

Plans, photographs and architect's drawings were displayed at the meeting

Members considered a report of the Chief Planning Officer setting out a position statement on proposals for a mixed-use development to part of the former Vickers tank factory at Manston Lane Crossgates LS15

Officers presented the report and outlined the three distinct character areas which would form the residential element of the proposals

In terms of access into the site this would be from two main access points along a spine road. In relation to the Thorpe Park office development, Members were informed that discussions were ongoing between the applicant and representatives of Thorpe Park to deliver the Manston Lane Link Road (MLLR) early within the scheme

Members commented on the following matters:

- the strategic importance of the site
- that the masterplan was welcomed
- the need for all parties to continue their dialogue on the proposals for the two sites
- concern that a S106 Agreement in respect of the Optare site remained outstanding
- concern that the Thorpe Park development was not progressing as planned; that the trigger for the completion of the MLLR of one million sq ft of occupied office space within this scheme would take ten years to achieve which was unacceptable and that the Director of City Development and the Chief Planning Officer should be given Council's support in negotiations on this
- that no development should be permitted until the MLLR was completed
- that whilst the applicant might be willing to provide major investment in the MLLR this should not be at the expense of lower levels of S106 contributions
- that the S106 requirements should be delivered on commencement of the development
- the need for the necessary traffic regulations to be implemented and enforced
- the need for affordable housing provision
- that the housing types and mix appeared to be acceptable but the need for an element of sheltered housing to be included
- disappointment that the rail link was no longer included in the scheme
- the need to safeguard the Great Crested Newts in the area
- that appropriate safety measures surrounding the ponds occupied by the Great Crested Newts be considered

**RESOLVED** - To note the report and the comments now made

(During consideration of this matter Councillors Congreve and Marjoram left the meeting)

#### **178 Application 09/05196/FU - Reserved Matters application for one 4 bedroom detached house, South Lodge, Woodacre Crescent, Bardsey LS17**

Further to minute 241 of the Plans Panel East meeting held on 9<sup>th</sup> April 2009 where Panel granted planning permission for a Reserved Matters application for one 4 bedroom detached house at South Lodge Woodacre Crescent Bardsey LS17, Members considered a further report

Officers presented the report which sought permission for an alteration in the height of the property of 0.5m to remedy an error in the applicant's original survey

Members were informed that the main issues were the impact on the character and appearance of the Conservation Area and the impact of the increased height on neighbouring properties

The Panel heard representations from the applicant's agent and from Councillor Rachael Procter who objected to the proposals

Members commented on the following matters:

- the applicant's proposed remedy of seeking approval for the additional height rather than lowering the roof by 0.5m
- that the development had been the subject of much local opposition and in view of this considerable care should have been exercised to ensure the survey was correct
- that the applicant had not appeared to have addressed the matter prior to the involvement of the Local Planning Authority

Members considered how to proceed

**RESOLVED** - That the Officer's recommendation to approve the application be not accepted and that the Chief Planning Officer be asked to submit a further report to the next meeting setting out reasons for refusal of the application based upon harm to the Conservation Area and visual amenity; that enforcement action be taken and that regular progress reports be submitted to Panel

**179 Application 09/03976/FU - Re-Cladding of and alterations to offices to form 2 four bedroom semi-detached houses each with detached open garage and 1 four bedroom detached house with attached double garage at Spear Fir, Bardsey LS17**

Plans, drawings and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for alterations to offices to form three 4 bedroom dwellings on land at Spear Fir Bardsey LS17 which was situated in the Green Belt and a Special Landscape Area

Members were informed that originally the land had been an agricultural site before changing to horticultural use prior to the current, office use

Officers stated that although the site was not in a sustainable location, the proposals would ensure that the site would not become derelict and that the scheme would result in a less intensive use, with the current 13-16 car parking spaces being reduced to approximately 6

The Panel heard representations from the applicant's agent and Councillor Rachael Procter who objected to the proposals

Members commented on the following matters:

- concern at such development within the Green Belt
- whether every effort had been made to market the property for office use
- that the proposals were over-intensive
- that given the existing situation that two properties, possibly with integral garages might be considered more appropriate to that being proposed

**RESOLVED** - That determination of the application be deferred to the

next meeting to enable negotiations on a reduced scheme to take place with all parties, including Ward Members

**180 Date and time of next meeting**

Thursday 11<sup>th</sup> March 2010 at 1.30pm in the Civic Hall, Leeds