

PLANS PANEL (WEST)

THURSDAY, 3RD MARCH, 2011

PRESENT: Councillor N Taggart in the Chair

Councillors J Akhtar, B Chastney,
M Coulson, J Hardy, J Harper, G Latty,
T Leadley, J Matthews and R Wood

106 Late Items

No formal late items of business were added to the agenda, however revised reasons to refuse Application 10/05520/FU (St Bartholomew's) were tabled at the meeting (minute 117 refers)

107 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:

Councillor Akhtar - Little London PFI redevelopment scheme – declared a personal interest as he had previously received a briefing on the scheme in his capacity as local ward Councillor (minute 118 refers)

Councillor Chastney - Little London PFI redevelopment scheme – declared a personal interest as a director of West North West Homes ALMO (minute 118 refers)

Councillor Coulson – Application 10/05134/FU Sunnybank Lane Thornbury – declared a personal interest as he had previously attended a site visit with planning officers, but had not formed a view on the application (minute 116 refers)

Councillor J Harper – Application 10/05520/FU St Bartholomew's – declared a prejudicial interest as she stated she had spoken at a public meeting on the scheme (minute 117 refers)

Councillor G Latty – Application 10/05674/FU Kirk Lane – declared a prejudicial interest as he had objected to the scheme, prior to acting as a substitute Member on the Panel (minute 114 refers)

Councillor Matthews - Application 10/04068/OT Clariant Site and Application 10/04261/OT Riverside Mills residential developments – declared personal interests in both matters as a local authority appointed member of West Yorkshire Integrated Transport Authority as METRO had commented on both schemes (minute 112 refers)

Councillor Taggart – Application 10/04261/OT Riverside Mills – declared a personal interest as a Local Authority appointed member of West Yorkshire Joint Services - the umbrella organisation which includes West Yorkshire

Archaeological Service – as WYAS had submitted comments on the scheme (minute 112 refers)

Additionally Councillor Coulson stated that with regard to the Clariant and Riverside Mills residential developments; although he was a local authority appointed member of West Yorkshire Integrated Transport Authority and METRO had commented on both schemes; he did not have an interest as he had not been present at any WYITA meetings when the schemes had been discussed

108 Apologies for Absence

Apologies for absence were received from Councillor Wadsworth and the Panel welcomed Councillor Latty as his substitute

109 Minutes

RESOLVED – That the minutes of the meeting held 3rd February 2011 be agreed as a correct record

110 Matters Arising

Pizza Express - Councillor Matthews reported on an instance of apparent non compliance with planning conditions (lighting, access and unauthorised takeaway use) following approval of an application by Panel. Officers noted the comments and agreed to raise the matter with the Enforcement Team to pursue

**111 Application 09/00856/FU - Former Glassworks Cardigan Road
Headingley LS6**

The Panel considered a report on the outcome of an appeal against refusal of permission for a development of student flats on the former Glasswork sites, Headingley. It was the decision of the Inspector to allow the appeal, subject to conditions, in a letter dated 1 February 2011. Members noted the comments of the Inspector

RESOLVED – To note the contents of the report

**112 Application 10/04068/OT - residential development proposals for
Clariant site, Calverley Lane, Horsforth LS18 AND Application
10/04261/OT residential development proposals for Riverside Mills,
Horsforth**

Further to minutes 94 and 95 of the meeting held on 6th January 2011 when Panel considered progress reports on both schemes; the Chief Planning Officer submitted reports for determination of outline applications (including access) for residential developments at the Clariant site and the Riverside Mills site, Horsforth.

Members had previously received a presentation at pre-application stage and undertaken site visits. Site plans, photographs, indicative plans and highways plans were displayed at the meeting. The Panel agreed to consider both applications together given the substantive joint issues.

The Clariant scheme would provide up to of 400 dwellings, a shop, open space, allotments, retention of a sports & recreation ground in community use and off-site highways works. The Riverside Mills scheme would provide up to 150 dwellings, open space and off-site highway works.

Both developers had offered Section 106 and Section 278 Agreements to cover off-site highways improvements including Horsforth And Rodley roundabouts, new bus service to Horsforth, 25% Affordable Housing, footpath and cyclepath link improvements, free metrocards for residents and contributions to primary education.

Officers reported the following necessary amendments to the Riverside Mills report:

- Conditions 30 to 32 be removed from the proposed conditions
- Reference to BREAM be removed from condition 35 to be attached to the permission if granted
- Developer now offered to fund two bus stops.

Officers also provided the following updates on the latest consultation responses/representations:

- revised Travel Plan submitted 2 March 2011 (both applications) but there had been insufficient time to assess it prior to the meeting. This could be dealt with under a defer and delegate decision
- Environment Agency confirmed no objection (Riverside Mills application) subject to standard conditions
- Natural England commented the proposed mitigation measures were acceptable (both applications)
- more information on the proposed 2m widening of Calverley Lane North footpath had been requested, but could be dealt with under a defer and delegate decision
- Nature Conservation Officer – commented that Calverley North had acceptable ecological improvements and had provided proposed conditions accordingly
- receipt of 10 further letters of objection which raised no new issues and 1 letter of support (from Turner & Townsend) re Clariant
- receipt of 2 further letters of objection which raised no new issues and 1 letter of support (from Turner & Townsend) re Riverside Mills
- additional comments of Councillor Marjoram seeking provision of a school on protected playing pitch area.

A concept master plan for both schemes had been submitted to ensure the schemes integrated with each other and the wider locality. Heights were shown as being 2 to 2½ storeys at the site boundaries, with up to 3 storeys to the centre. Densities were indicated as being 25-35 dwellings per hectare at the periphery of the sites and 36-45 dwellings per hectare to the centre.

Principle of Residential Use

- Officers highlighted the key considerations as being the fact that these are brownfield sites (although outside the main urban area); whether the sites were demonstrably sustainable and whether the package of

sustainability measures was sufficient; balanced with the benefits brought by the schemes contribution to the five year housing land supply

- Officers outlined the Sustainability package in relation to the following issues: brownfield, new housing, public transport, education, amenities, heritage retention, landscape, ecology and flooding
- An assessment of employment provision concluded that there was a surplus of employment land in the development plan period. If these sites were retained for employment there would be other difficult issues.

Officers concluded that on balance these factors supported the principle of residential use and that the sustainability package was acceptable.

Highways

- The Highways Officer provided details of the proposed highways works. Slides showing the proposed works to Calverley Lane North & South, the A6120; the A65, Horsforth Roundabout and Rodley Roundabout were displayed for reference
- Means of access works included widening of the carriageway to the access point of Riverside Mills to provide 2 way access and footpath
- Off-site highway works for both schemes comprised improved pedestrian facilities along the A6120 and A65 and extensive treatment to both Horsforth and Rodley roundabouts to increase capacity
- A slide showing LCC proposals to signalise Horsforth roundabout was displayed. It was reported that the developers were willing to offer to fund this scheme but the additional costs incurred would negate their ability to provide affordable housing
- Plans were displayed showing an indicative bus route from the Clariant site via Calverley Lane North to Horsforth schools and Train station and also details of the improved pedestrian footpaths and sites for pedestrian crossings. It was reported that the proposed half hourly bus service would not meet the SPD but would be funded; and was regarded as viable by METRO but required further negotiations with a bus operator
- The Highways Officer provided the previously requested detail on the number, nature and location of reported accidents during the 2001-06 and 2006-10 time frame. Officers stated that not all the reported accidents at the Calverley Lane South junction related to the right turn into the Clariant site and some could have resulted from shunts in traffic stacking for the roundabouts
- The proposed third lane would provide a length of road for stacking traffic waiting to make the right turn into Calverley Lane South; and would not stretch as far back as the railway bridge
- Planning officers noted that the plans for Calverley Lane North did not provide adequate provision for cyclists and that this could not be provided without unacceptable loss of vegetation
- Planning Officers confirmed that the applications before Panel today included the non-signalised works to Horsforth and Rodley

roundabouts. If Panel wished to pursue an approval with the full signalised works to Horsforth roundabout the developer considered that affordable housing would not be viable.

Education

- The applicant offered a full primary education contribution as requested by Education Leeds, but no secondary contribution was required
- Ward Councillors had requested further investigation of the possibility of providing a school on site. Officers reported that the schemes would not result in the need for a new school to be built, however the developers had identified an area of playing field within the site that could be dedicated for a new school if other contributions reduced
- Planning officers confirmed that this was Green Belt land and therefore would result in policy issues. Education Leeds also confirmed no funding was available to build a school. Officers acknowledged that these applications could not solve existing issues relating to availability of school places in the area.

Speakers

The Panel then heard representation from objectors to the scheme:

Mr Martin Hughes of Horsforth Civic Society addressed the Panel on concerns relating to the impact of these isolated developments on the community infrastructure. He referred to the findings of a 2005 survey of the A65 and stated matters were unlikely to have changed. He noted that issues relating to education, highways and public transport were raised by both the community and the Panel and predicted 1000 cars could be generated by 550 homes.

Mrs Kate Arbuckle a local resident, Horsforth Town Clerk and Chair of Horsforth Town Council Planning Committee expressed concern over the traffic management plan, the current traffic problems in the area and the comments of an Inspector on a previous appeal on the nature of the routes and proposed distances to amenities. She suggested that residents were more likely to use private vehicles than walk or cycle.

Councillor A Carter Calverley and Farsley ward Member urged the Panel to consider the sites in the context of the highways network and education and whether they would be demonstrably sustainable. He noted future residents would live within either the Horsforth or Calverley & Farsley wards and reported the subsequent increased demand for school places would have far reaching impact on all local schools, some of which were already at capacity. Councillor Carter stated the proposed works to Rodley roundabout were insufficient and this roundabout should be signalised. Further residential developments along the A65 should not be allowed until both roundabouts were improved.

(Councillor Leadley withdrew from the meeting at this point)

Having regard to objector's comments Panel discussed the concerns expressed regarding impact of the school run on the highways network and the proposed pedestrian route to Newlathes School which was currently impassable due to flooding. Members also noted the comment made by

Councillor Carter that none of the residents who had attended the public consultation were opposed to the principle of residential development but that residents did not believe the two schemes could be sustainable.

(Councillor Leadley rejoined the meeting)

The Panel then heard representation from supporters of the scheme: Mrs S Ansbro on behalf of both developers who stated the sites could not be left undeveloped and the only alternative would be to seek to reintroduce permitted low grade industrial use if the proposals were not approved. The developers believed that sustainable measures on the sites could be delivered and be compliant with Policy H4. The submitted traffic analysis had taken into account the Woodside Mills and Kirkstall Forge developments which also access onto the A65. Mrs Ansbro confirmed the developers commitment to highways works totalling £2m and acknowledged the debate regarding education provision but commented that the local schools Admissions Policy was a separate issue.

Mrs A Reeves of the Riverside Mills team then addressed the Panel on the planning history of the site and emphasised that there were no outstanding objections from statutory consultees.

Mr M Lunn of Turner & Townsend then addressed the Panel in support of the scheme and the benefits of regeneration in the area.

The Panel discussed the following matters with the developers representatives:

- Could not see how the sites could be sustainable
- Choice of provision of Affordable Housing or highways works
- The residential usage could generate a large carbon footprint however vehicles would be on site through industrial usage
- The highways scheme could mitigate the impact of these developments but would not address existing problems on the local highways network. Some Members saw signalisation of Horsforth roundabout as imperative as the A65 was at capacity noting the developers were prepared to address this but at a cost to the overall scheme
- Traffic generated by the proposed residential scheme would be different to the previous industrial use as the peak time flows would be different, but the developers suggested the overall vehicular movements would not differ greatly
- Extending the bus link to Pudsey would benefit the residents
- Problems of education as all local schools were full or nearly full, but acknowledged the applicant could not influence Council's admission policy
- The intended low grade industrial use fall back position
- Noted that Network Rail would not support a halt at this location due to its proximity to the proposed Apperley Bridge and Kirkstall Forge sites
- Whether a smaller scheme had been considered bearing in mind the physical constraints on the sites and the issue of viability

- The level of public consultation with local residents and ward Councillors.

The Panel noted that the developer had worked with Education Leeds who had calculated that a contribution to primary provision was required, not a new school. Furthermore, there was currently spare capacity within some local secondary schools which was why no secondary education contributions were required.

(Councillor Akhtar withdrew from the meeting)

The Panel then went onto discuss education provision in detail with Mr Peter Storrie of Education Leeds as follows:

- Projected numbers of pupils and capacity of the schools nearest to the developments
- Education Leeds was aware of the concerns raised by Panel that local schools were already full to capacity and would look to spend the contribution in Horsforth and Calverley in the first instance
- It was reported that there were 9300 primary school places in 2010/11, but last years birth-rate stood at 10,200. Members were concerned that there would be a 900 space shortfall in Leeds in 3 to 4 years time, just as residents moved into the proposed developments. Members sought reassurance that Education Leeds could quickly provide solutions and local schools could absorb children from the developments
- Creative use of school buildings could accommodate increased numbers, such as “through schools” providing education from 3yrs to 18yrs, but adding on to existing buildings would be dependant on capital and space available
- These developments would only provide for a half form entry and LCC could not currently fund the remainder, plus there were issues regarding delivery of a full curriculum

(Councillor Akhtar rejoined the meeting)

Officers reported the likely difficulties of marketing the sites for employment use, due to the significant distances from the motorway network, and that any new industrial development would also result in increased traffic and would be likely to be piecemeal.

Members received further details from the highways officer regarding the difference between the previous industrial use in terms of nature of trips, vehicles and peak times, and the proposed residential use. The Highways Officer stated further negotiation was required over the provision of a 2.5m wide cycle lane along Calverley Lane North which would provide for 2 way cycle use and prevent the need for cyclists to access and egress the site at the same access point as motorists. The Panel expressed concern that cyclists would have to make the same right hand turn at Calverley Lane South as motorists. Panel queried traffic levels on A65 compared to the site in full operation and whether accident statistics were under-estimated.

The Panel took a short comfort break at this point. Members reconvened and discussed the following:

- This would not really be a sustainable site and would be highly car dependant
- Whether the report conclusions were reasonable given that local schools and highways networks were at capacity already
- The sites would not be attractive to people eligible for Affordable Housing as there was no infrastructure – such as shops, doctors and the site was not easily accessible. Members also considered the practicalities of living on the sites
- Whether the developers had demonstrated that the predicted amount of traffic could be safely accommodated on the highways network
- The public transport offer was regarded as inadequate; cyclists would not be able to use Calverley Lane North; and something more radical was required
- Some Members felt the signalisation of Horsforth roundabout was essential but found it difficult to reconcile it with the loss of Affordable Housing
- One Member felt that the development of a brownfield site should be supported to reduce pressure on greenfield and green belt sites and noted the previous use as a chemical site would have resulted in significant traffic generation
- Suggested the schemes would provide a planned village but queried whether this was the right location bearing in mind Members' ongoing concerns
- Welcomed the retention of the mill buildings but would require a management plan for both the Mill Pond and the Beck and more information on the proposed future maintenance of the pavilion and pitches
- Questioned the usefulness of the proposed bus, the estate would be highly car dependant and crucially would feed directly onto the Ring Road rather than a gentle dispersal through a network of street.

The Chair directed the Panel to consider the applicant's alternative offer to signalise Horsforth roundabout, which would result in the loss of Affordable Housing provision; and following a vote in which the Chair made a casting vote, the Panel agreed that if the applications were to progress toward an approval, then Panel would seek the signalisation of Horsforth roundabout instead of Affordable Housing.

The Chair then requested the Panel consider each application in turn with regards to the recommendation:

RESOLVED –

(1) Application 10/04068/OT Clariant Site

- (a) That the officer recommendation to defer and delegate approval of the application to the Chief Planning Officer subject to conditions not be agreed,

(b) That Officers are requested to present a report to the next meeting setting out proposed reasons for refusal of the application based on the Panel's strongly held concerns regarding the following:

- sustainability of the site in terms of remoteness, access, proximity to services,
- impact of traffic generated by the site on highway safety at Calverley Lane South

(2) Application 10/04261/OT Riverside Mills

a) That the officer recommendation to defer and delegate approval of the application to the Chief Planning Officer subject to conditions not be agreed,

b) That Officers are requested to present a report to the next Panel meeting setting out proposed reasons for refusal of the application based on Panels' strongly held concerns regarding the following:

- sustainability of the site in terms of remoteness, access, proximity to services,
- impact of traffic generated by the site on highway safety at Calverley Lane South

(Councillor Wood left the meeting)

113 Application 09/05553/OT - Land off Royds Lane Lower Wortley LS12

Further to minute 102 of the meeting held 3rd February 2011 when the application was deferred to allow time for further negotiation on issues of affordable housing, public transport and public safety, the Chief Planning Officer submitted a report setting out the response of the applicant. The Panel was asked to consider the principle of residential development on the site and the proposed access.

Plans and aerial photographs of the site were displayed at the meeting. The Panel discussed the revised offer to upgrade 2 bus stops along Whitehall Road and improvements to the footpath from the site to Geldard Road, with lighting

Officers commented that the site integrated well into existing urban fabric. The Panel welcomed the revisions made to the scheme and

RESOLVED – To approve the application in principle and to defer and delegate final approval to the Chief Planning Officer, subject to the specified conditions contained in the report (and any others deemed appropriate) and subject to the completion of a legal agreement to cover the matters detailed in the report

114 Application 10/05674/FU - 28 Kirk Lane Yeadon LS19

The Panel considered proposals to convert a former showroom to four flats. Plans and photographs of the site were displayed at the meeting along with plans of previously refused scheme for 6 flats on the site for comparison. Members had visited the site prior to the meeting.

The Panel heard representation from Mr T Moran, a local resident who expressed concern over car parking and noise from heavy machinery during the development phase. The Panel then considered the representation made by Ms V Sykes on behalf of the applicant

Members noted that the hours of construction/servicing were conditioned. The Panel requested further consideration of the disabled parking space which was currently proposed furthest away from the entrance to the building and the inclusion of one further condition to control levels

RESOLVED – That the application be granted subject further negotiation on the location of the disabled parking space and the conditions contained within the report (and such other conditions and directions the Chief Planning Officer may deem appropriate) plus one further condition to cover levels.

115 Applications 10/05725/FU and 10/05726/LI - 3 Ivegate Yeadon LS19

The Chief Planning Officer submitted a report on applications seeking the change of use of a former shop (Use Class A1) to a hot food take away (Use Class A5) and listed building alterations to premises at 3 Ivegate, Yeadon. Plans and photographs of the site were displayed and Members had visited prior to the meeting.

The Panel noted the comments of the Inspector at an appeal against refusal of a similar site in 2010 and that those comments had been addressed in this new application. The comments made on parking issues and location of the site within a residential area were also noted.

RESOLVED – That Application 10/0572/FU for the change of use and Application 10/05726/LI for the listed building alterations be granted subject to the specified conditions (and any other conditions/directions deemed appropriate by the Chief Planning Officer

Councillor Leadley voted against, Councillor G Latty abstained

116 Application 10/05134/FU - 13 Sunnybank Lane Thornbury Bradford BD3

The Panel considered an application for part two storey and part single storey side extensions to 13 Sunnybank, Thornbury. Plans and photographs of the site were displayed at the meeting. Officers reported receipt of a revised plan showing an additional window within the rear elevation.

The Panel considered the distances between the proposed extension and the site boundaries and the amount of development which could be achieved under Permitted Development Rights

RESOLVED – That the application be granted subject to the specified conditions contained within the report

Councillor Leadley voted against

Councillor J Harper, having earlier declared a prejudicial interest in the following item withdrew from the meeting. Councillor Coulson also withdrew.

117 Application 10/05520/FU - St Bartholomew's Wesley Road Armley LS12

The Chief Planning Officer submitted a report setting out proposed reasons to refuse an application for a 2 storey community centre with link to existing church and an outline residential development of 33 houses on land at St Bartholomew's, Armley. A revised list of the reasons to refuse the application was tabled at the meeting. Plans, photographs and architects drawings of the site and proposals were displayed.

Officers outlined the planning history of the site and the Policies relevant to the development proposals, plus the receipt of one additional letter of representation. The Panel considered the representation made by Father I Wright on behalf of the applicant regarding remedial works undertaken at the site and likely future users and maintenance of the new facility.

Members noted local support for the community centre and commented on the length of time the scheme had been in the application process. Officers reported the applicant did not propose any Section 106 contributions normally applicable to a scheme of this nature as the proposals were intended only to provide funding for the new community centre. Members noted the applicant had not provided sufficient evidence of the special circumstances of the scheme to set aside planning policies.

Members were minded to defer the application to allow the applicant time to address the relevant policies and noted that Father Wright indicated he would prefer the application to be determined; however the Panel did not feel able to determine the application in its present form and

RESOLVED – To defer determination of the application to allow time for a site visit to take place

(Councillor Hardy left the meeting at this point)

118 Little London Regeneration Programme

Further to minute 93 of the meeting held 6th January 2011 when the Panel provided comments on a position statement on the redevelopment proposals for the Little London Area, the Chief Planning Officer submitted a further report on a total of 8 applications for new build and refurbishment. The report set out the revisions made to the scheme in response to those comments.

Carlton Gate

- A review of the space around dwellings had been undertaken and the issue of overlooking would now be addressed through the inclusion of oriel windows and the arrangement of secondary kitchen windows overlooking non-garden areas was felt to be acceptable
- Use of render to be restricted to first floor level
- Central public space will incorporate a 1m high rail to prevent misuse of the space
- Mono-pitch rooves remained the preferred design solution

Oatlands Community Hub – now incorporated a perforated shutter design

Refurbishment and Public Realm – reconfigured greenspace around the tower blocks would provide a defensible space and formality to the car park

Refurbishment of elevations to the existing maisonettes. The Panel discussed the possible impact of privately owned dwellings on the overall appearance of the refurbished scheme and sought to ensure that owners of the properties were contacted to see if they could participate in the scheme.

(Councillor Akhtar withdrew from the meeting for a short time at this point)

Officers reported receipt of revised minor design and highways details – which had been conditioned in the proposed recommendations – therefore the conditions requiring submission of these details could be removed from the proposed recommendation

RESOLVED – That the applications listed below be approved in principle and be deferred and delegated to the Chief Planning Officer for final approval subject to receipt of revised plans as referred to in the appraisal section of the submitted report and subject to the specified conditions contained within the report

Carlton Gate 10/05212/RM

Oatland Lane Community Hub 10/05213/RM

Refurbishment sites at Carlton 1 (10/05208/FU) Carlton 2 (10/05209/FU), Lovell Park (10/05209/FU), Servias (10/05221/FU), Oatlands 1 (10/05228/FU) and Oatlands 2 (10/05226/FU)

119 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 31st March 2011 at 1.30 pm