

## **NORTH AND EAST PLANS PANEL**

**THURSDAY, 20TH DECEMBER, 2012**

**PRESENT:** Councillor D Congreve in the Chair

Councillors C Campbell, M Harland,  
C Macniven, A McKenna, J Procter,  
E Taylor, G Wilkinson and B Selby

### **30 Late Items**

There were no late items

### **31 Chair's opening remarks**

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

### **32 Declarations of Disclosable Pecuniary and other Interests**

There were no declarations of disclosable pecuniary interests or other interests

For the record, Councillor Selby stated that although he lived in the next street to Primley Park Crescent – Application 12/04103/FU – 29 Primley Park Crescent – he did not know the applicant or any of the objectors other than Councillor Harrand (minute 35 refers)

### **33 Apologies for Absence**

Apologies for absence were received from Councillor R Grahame who was substituted for by Councillor J Harper

### **34 Minutes**

**RESOLVED** - That the minutes of the North and East Plans Panel meeting held on 29<sup>th</sup> November 2012 be approved

### **35 Application 12/04103/FU - New first and second floor dormers to existing bungalow to form house; porch to front and new ground floor window to each side; two storey extension and conservatories to rear front boundary wall and gates - 29 Primley Park Crescent Alwoodley LS17**

Draft minutes to be approved at the Meeting held on 21<sup>st</sup> February 2013

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

The Panel's Lead Officer presented the report which sought permission for extensions to form a new house at 29 Primley Park Crescent Alwoodley LS17

The design characteristics of the surrounding area were outlined with Members being informed that it was not unusual for there to be a mix of bungalows and two storey properties adjacent to each other

An in/out driveway was proposed which was considered to be acceptable. As the plot was a generous one, two conservatories would be sited at the rear of the property, whilst still leaving an appropriate area of garden land

Officers were of the view there were good levels of separation between the property and its neighbour; that the spatial setting of the proposals was acceptable and that a generous garden would be retained and recommended approval of the application, with an additional condition in respect of the boundary enclosure to the eastern side of the property

Panel was informed that a revised plan had been submitted and had been sent to Councillor Harrand. In response to a question from Panel, it was stated that Councillor Harrand had not made further representations in respect of this revised plan

Members discussed the application and sought clarification about the size of the second storey dormer windows, with the Panel's Lead Officer stating these were slightly smaller than those on the adjacent property

**RESOLVED** - That the application be granted subject to the conditions set out in the submitted report and an additional condition requiring the submission of details of the boundary enclosure to the eastern side of the site

**36 Application 12/04456/FU - Two storey side, front and rear extension including dormer window with Juliet balcony to the side, raised terrace with balustrading above to front and new bay window to other side - Dene Cottage Linton Lane Linton Wetherby LS22**

Plans, photographs and drawings showing the current application and previous consented schemes were displayed at the meeting. A Members site visit had taken place earlier in the day

The Panel's Lead Officer presented the report which sought retrospective permission for extensions to Dene Cottage, Linton Lane, Wetherby, which was situated in a Conservation Area

Members were informed that a peculiarity of the site was that the rear of Dene Cottage was the front of the adjacent house, The Willows, and that this was an important consideration in understanding the application

Members noted that unauthorised works had been carried out on the property and initially the applicant had not ceased work but had now done so

A particular issue was the impact the extensions, which were at an advanced stage, had on the amenity of the residents of The Willows

Whilst the extension to the front of the house which had been constructed was similar in scale and form to what had been granted planning

permission in 2004 and 2009, there were elevational differences. It was set out that it could be contended that the extension to the rear did not comply with the Householder Design Guide in respect of how the impact of an extension, on the amenity of neighbours was assessed. Members were informed that in respect of this, although the proposals contravened the letter of the Code, Officers were of the view that due to a number of other factors, this was a balanced decision and were recommending approval of the application. It was noted that the Conservation Officer's view differed from that of Planning Officers

The receipt of 15 further letters of support were reported

The Panel heard representations from an objector who attended the meeting

Panel then discussed the application and commented on the following matters:

- the rear boundary treatment which would help screen the extension from The Willows and that although a condition had been placed on the retention of this in the 2009 application, this had not been included in the current scheme
- that the 2009 scheme was more suitable as it was subservient to the host property, unlike what had been constructed on site
- that whilst Planning Officers might express a view to an applicant on a planning application this could only be an initial view as the planning process provided the opportunity for public consultation on the proposals, including representations both in support and against an application
- concerns about the rear extensions and its impact on The Willows

The Panel's Lead Officer stated that whilst the Head of Planning Services had been asked by the applicant to give an initial view on the proposals and had done so, without prejudice to the determination of any planning application that might be submitted, the applicant had been somewhat premature and had commenced the works

Members considered how to proceed

**RESOLVED** - That determination of the application be deferred to enable further negotiations regarding the projection of the extension with a view to making this more subservient to the host dwelling and to reduce the impact on the neighbouring dwelling and that a further report be presented to Panel in due course, for determination of the application

### **37 Applications 11/00975/UTW1 and 12/00501/FU - 10 Elmete Avenue Scholes LS15 - appeal summary in respect of enforcement case and planning application**

Further to minute 212 of the Plans Panel East meeting held on 17<sup>th</sup> May 2012, where Panel resolved to refuse an application for the variation of condition 2 (approved plans) of approval 09/03138/FU, for minor material amendment relating to three 4 bedroom detached houses with integral garage to rear garden, Members considered a report of the Chief Planning Officer on appeal decisions in respect of this refusal and of an enforcement appeal

The Panel's Lead Officer presented the report and stated that the applicant had been successful in appealing the decision to refuse planning permission but had lost the enforcement appeal. The Inspector required plot 3, which had not been built in accordance with the approved plan, to be demolished within three months and that to address this, the applicant would now implement the planning permission granted on appeal, within three months. Members were informed that issues still remained regarding boundary treatments and drainage and that these were being dealt with

Concerns were raised that no reference had been made to why the planning appeal had been granted, i.e. through an administrative error within Planning Services which resulted in the timescale for submission of evidence being missed, as set out in the submitted report and that no apology had been offered to Panel or to the local residents who were affected by this situation

The Panel's Lead Officer stated that a meeting had been arranged with local residents and objectors for January and that steps had been taken to ensure this situation could not be repeated

Members noted the steps which had been taken and suggested that a report be submitted to the Joint Officer/Working Group, if considered appropriate, which set out the measures which had been put in place to prevent this situation from occurring in the future

**RESOLVED** - To note the appeal decisions and the comments now made

**38 Date and Time of Next Meeting**

Thursday 24<sup>th</sup> January 2013 at 1.30pm in the Civic Hall, Leeds

**39 Chair's closing remarks**

The Chair wished everyone a Merry Christmas and Happy 2013