

Joint Plans Panel

Thursday, 22nd June, 2017

PRESENT: Councillor J McKenna in the Chair

Councillors B Anderson, S Arif, M Coulson,
C Dobson, A Garthwaite, R Grahame,
C Gruen, P Gruen, S Hamilton, A Khan,
T Leadley, S McKenna, E Nash, K Ritchie,
C Towler, F Venner, P Wadsworth,
N Walshaw, G Wilkinson and R Wood

Councillor

1 Election of the Chair

Councillor J McKenna was elected Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

4 Late Items

There were no late items.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Apologies for Absence

Apologies for absence were received from Councillors D Blackburn, C Campbell, B Cleasby, and D Congreve.

It was noted that Councillor Garthwaite would be late.

7 Minutes

RESOLVED - Minutes of Joint Plans Panel held on 14th July 2016 were approved as a correct record.

The minutes of Joint Plans Panel held on 31st January 2017 were approved as a correct record with the addition of the following amendments:

- That apologies be added for Cllr. B Anderson
- Item 41 – Paragraph 10 to read ‘It was noted that some Members had been provided with a list of examples of what can and cannot be considered for planning. It was suggested that this may be useful to newer members of Plans Panels’.
- Typos on item 44 - Consideration of two storey side extensions to Domestic Properties;
 - Paragraph 7 - To replace Fall-ball position with Fall-back position
 - Paragraph 9 – to read that approval granted subject to conditions.

8 Matters arising

Minute 28 - Housing Land Supply – Implications of Grove Road Decision

Draft minutes to be approved at the meeting
to be held on Thursday, 30th November, 2017

- The Head of Development Planning to clarify if the PAS sites include medical centres and to respond to Members directly.

Minute 29 – 2015-16 Performance Report

- The Head of Development Management was unsure why the Building Services Team had not been included within the submitted report but he would check on Building Control and report back to Members.

Minute 39 – Planning Services performance report quarters 1 to 3, April to December 2016.

- Members were informed that a report is due to go to Executive Board in July 2017 in relation to CIL. Members requested that they would like to be informed how much CIL is being paid and how it is being used. They would like to see basic information on CIL allocation and spend in reports. It was noted that Agenda Item 8 – Planning Services end of year 2016-17, Performance Report – paragraph 3.6.4 provided a table which showed the breakdown of the CIL monies paid and received by the Council in comparison with year

Minute 41 – Member Training 2017-18

- It was noted that a tour of past sites which had received planning permission and been developed had taken place for sites located within the City. Planning Services were trying to arrange a tour of sites located in the outer areas.
- Members were informed that a visit requested by Members to a development at North Stainley, Harrogate was being organised but as yet an appropriate date has not been found. The Head of Development Management is to send an email to all Plans Panel members to find a suitable date.

9 Planning Services end of year 2016-17, performance report

The report of the Chief Planning Officer provided Members with planning performance and activity for the period 2016-17 financial year.

Members were informed that the service had received 4,966 applications which was a 5.6% increase on the previous year and 2% above the national average 3.6% above the national average of 2%.

The number of decisions was up 9.3%. Determining time across the three categories reported had fallen slightly with the lowest at 89.4 % however it was still up compared with national average of 86%.

Members heard that the Planning Service was currently running with 6.6 Full Time Equivalent vacancies and two officers on long term sick leave.

Members noted that £776 had been refunded under Planning Guarantee there had been an unprecedented fee surplus of £457,000. This was due in part to some significant applications which attracted large fees.

The Panel were informed that the number of enforcement cases remained at a consistently high level of 1275 cases received. The workload through the service remained substantial with a significant number of complex cases being investigated. However, the number of cases had been maintained at approximately 1000 which was a long standing service objective. It was noted that Leeds continues to take more formal action than other surrounding authorities.

To release some of the pressure a temporary member of staff had been appointed in both Compliance and one area team and further temporary staff were being sought until permanent appointments can be made.

The Panel noted that 105 decisions had been taken at Plans Panels with 11 officer decisions being overturned.

Members were informed that there were 233 new appeals in 2016-17 with most in relation to appeals against refusal of planning consent. Of the total appeals 93 related to householder appeals where 42% of them were allowed. Members were advised that since the relaxation of the permitted development on larger house extensions, it appears from analysis of the Planning Inspectorate's decisions that more household extensions were being allowed which were 'marginal', given the permitted development fall-back position. It was noted that the service was committed to further analysis on these appeals and would make changes as appropriate.

Members heard that there had been an increase of 15% in the number of complaints received when compared to the previous year. The main theme of upheld complaints focused on the way planning applications had been advertised and that comments received from neighbours had not been taken into account by officers. It was noted that action had been taken to ensure the appropriate number of site notices were erected by printing additional notices for the planning case officer to erect on site. It was also noted that larger development sites were advertised in the newspaper however this was an expensive way to advertise.

The Panel were informed that in January 2017, an online survey had been sent to over 5,000 participants who had used the planning service. The response rate was 4% and although low common issues had been identified particularly from the comments respondents made. The Panel noted that work would be undertaken to address the issues raised.

The Panel also noted that 17% of the comments made were constructive about the Planning Services with 16% being complimentary.

Members were informed that in March 2017, the service was successful in being reaccredited with Customer Services Excellence.

Members were also informed that the service had been inspected with the inspector also being inspected. The comments from the inspector were complimentary about the meeting room, customer services, the way the Chairs interacted with Members of the public, Members involvement, and Officers conduct at Panel.

With regards to the Community Infrastructure Levy Members were advised that £1.86 million had been paid to the City Council which was up on last year's figure.

It was noted that non-payment was being chased and that fines could be incurred with notices being sent. Members were advised that in some cases smaller builders were becoming savvy with regulations and were gaining planning permission then selling it on to individuals whom then claimed self build relief but re employed the builder to construct the house for them, thus avoiding paying CIL.

It was noted that non-payment was being chased and that surcharges were being imposed where reminder notices were triggered.

Members discussed the following points:

- Need for more resources to be put into enforcement
- Low return on customer survey and need to increase return to make the data more valid
- Size of notices on lamp posts - to consider use of A3 notices
- Send out letters advertising planning to a larger number of neighbours
- CIL payments and the request by Members for Ward Councillors to be informed. It was noted that this information was sent in a report on a six monthly basis to Ward Councillors but not by specific application.
- Challenging an Inspector's appeal decision – particular application was discussed where Members had not agreed with the Inspector's Decision.

Cllr. S McKenna thanked the Planning Services staff and paid tribute to them as they were always forthcoming with information, willing to help and meet to discuss any issues.

Cllr. P Gruen said that it was an excellent report in terms of achievement and performance and well done to all officers not just the planning officers but all those who feed into the process. He said that he was sympathetic to the fact that the Council had a duty of care and wellbeing to staff and was of the view that the workload balance was not where it should be and was encouraged that interviews were taking place for additional staff.

Cllr. Gruen requested that it be minuted that with the agreement of the Panel that the Joint Plans Panel had great concern that something needed to be done about enforcement. He said that there needed to be co-operation between Planning Services and Legal Services to get on and uphold the integrity of the planning system.

Cllr. Gruen also spoke about a couple of applications which had been brought to Plans Panels which had been deferred on the day of the meeting due to additional information being submitted at the last moment by the applicant. Cllr. Gruen said that it was not acceptable as many people had been in attendance at the meeting including Ward Councillors and members of the public some who had taken time off work.

Cllr. Gruen asked Legal Services if it was possible to have a cut-off date for the submission of additional information.

It was noted that the Chair of North and East Plans Panel had done an adequate job of explaining the situation and the reason behind the deferral.

It was noted that Planning Services and Legal Services had already discussed this issue and accepted the concerns of the Members and agreed to consider the issue again. However, there were difficulties of imposing such a requirement as an application must be assessed in light of all information (no matter how late it was submitted) as otherwise the Council could be open to challenge and at risk of costs.

The Chair asked for an update on the 20% increase in planning fees and was informed that the Chief Planning Officer had taken a report to Corporate Development Department for approval for spend of approximately £500,000 expected money from fees. The Chief Planning Officer has been slightly hesitant to go progress this proposal due to the national elections and the fact that changes to legislation and or government policy in relation to this issue may be made. It was also noted that other income from the increased fees may not be ringed fenced to the Planning Department.

The Panel requested extra training on the Planning Services Self-Serve so that they were able to check on applications for approval and decisions within their wards.

The Panel discussed issues in relation to the following points:

- Training for Members of Plans Panels
- Submission of late information from applicants and objectors
- Long term sick in Planning Services
- Prosecution outcomes and outstanding cases
- The need for a dedicated CIL officer
- Possibility of a pre meet prior to Plans Panel – similar to those held before Scrutiny Boards

RESOLVED – To note the report and to receive a further performance report in six months' time.

Cllrs, S Arif and R Grahame left the meeting during this item.

Cllr. A Khan left the meeting at the end of this item.

10 Planning and Schools Provision

The report of the Director of City Development provided the Panel with an overview and an update of the ongoing work being carried out by Planning Services and officers from Children Services in the delivery of new school place provision.

The Sufficiency Planning Manager informed the Panel that the provision for new school places arises from two principal considerations, the continued increase in the birth rate in Leeds and the increased demand arising from the new housing requirements identified in the submission draft Site Allocations Plan and Aire Valley Leeds Area Action Plan.

Members heard that the demand for new places was determined by Capacity and Sufficiency in Children's Services, using the latest demographic projection model and this establishes need. The projection model uses data obtained from GP's and health centres of births and tracks children through their health registration over time. This data is used to see the numbers of children in Leeds and where they are living when they are due to enter school at reception class, primary schools and year 7, secondary schools.

Members were informed that when planning school places for new houses there were many uncertainties such as when or if a development would come forward, the build rates per year and how long it would take to complete.

The officer explained that where an additional need would appear to be a short term requirement the options to create a bulge cohort would be considered. Where the need is likely to be longer term then permanent expansion of existing schools or a requirement for a new school was considered.

The Chair said that he had found the tables in the report very useful as Members were able to look at their own areas to see what the picture is and where the likely shortfalls might be.

Members thanked the officer for the report and for explaining the differences of a bulge cohort and the ongoing fluctuation of pupil numbers.

Members had asked for clarity in their role when deciding on planning applications. They were informed the sufficiency and capacity for school places should be with Children's Services. However, Plans Panels needed to ensure that there is the relevant infrastructure and resources within the area.

RESOLVED – To note the content of the report.

Cllr. Garthwaite joined the meeting during this item.

Cllr. Garthwaite had been at Aspire Community Benefit Society Awards where the company that she works for, Vera Media had been shortlisted for an award. Cllr. Garthwaite explained that that the company had made a short film 'Hate and Mate Crime Rappers' had received an award for creativity, and that the company Vera Media had also won an award for the work that they do with organisations who help those with disabilities in the community.

The Plans Panel offered their congratulations.

11 Buildings at Risk

The report of the Chief Planning Officer provided Members with a list of buildings at risk and the efforts that are being made to address this issue by securing emergency repairs and securing new uses.

Members were informed that the list has been revised since the last report due to the ongoing building at risk survey being carried out by volunteers under the joint management of the City Council and Leeds Civic Trust which would be a to provide and up to date picture of the condition of listed buildings when it is finished at the end of the year. It was noted that it is intended to publicise the results of the survey and also to start an outreach programme with the owners of listed buildings highlighting the benefits of building maintenance.

Members heard that the Horsforth Corn Mill had been demolished.

The Panel were informed that since the last report the First White Cloth Hall one of Leeds' most important buildings had been bought by Rushbond who are developing a refurbishment scheme with the intention of applying for planning permission this year and starting on site early in the new year.

Members heard that J M Construction were due to start on site at Hunslet Mills and that hoarding was already in place.

Members were advised of enforcement action on the trustees of St John's Church which requires further emergency works. The urgent works notice specifies the repairs required.

Members noted that the refurbishment of the former Cookridge Hospital was tied by S106 agreement to the completion of the residential development. The developer had been asked to provide a schedule of emergency works, including improved security, while proposals for re-use of the vacant listed buildings are brought forward.

Members were informed progress on the following buildings:

- Old York Road Library is to be converted into a gym and fitness centre
- High Royds to be residential use
- The Majestic had a temporary roof put on. Hopeful that progress will be made with development and officers will have more to report next year.

It was noted that the statue of Queen Victoria on Woodhouse Moor was on the list of buildings at risk. Cllr. Towler asked what work was being undertaken given that it will be the bicentenary of her birth in 2019. Members heard that an application had been submitted to the Heritage Lottery Fund and that fund raising was in progress as part of the restoration of this statue. Cllr. Towler said that Friends of Woodhouse Moor also wanted to assist with the restoration and suggested that she meet with the officer to discuss.

It was also suggested by Members that a group application be put forward for monuments and statues to the Heritage Lottery Fund as part of the European Capital of Culture bid.

Members discussed the long and ongoing issues in relation to Stank Hall Barn including new uses for the building and the possibility of moving the building. The officer suggested capitalising maintenance money that would have been spent on the building and use it as a reverse premium as an incentive to a developer.

Outstanding issues at High Royds development were discussed such as bus stops, lamppost etc. and the fact that there was still not a sustainable use for the building.

Cllr. Wood informed the Panel that Calverley Old Hall a grade 1 listed building owned and preserved by Landmark Trust had put the Hall forward for renovation. Prince Charles the patron of Landmark Trust had selected Calverley Old Hall for renovation to be undertaken. Cllr. Wood said that Landmark Trust were good at raising substantial amounts of money and had set up a small local committee. The Officer said that he would follow up on this.

Members were of the view that it should be noted that public money had been used to make repairs to St John's Church and that the trustees should be required to carrying out emergency repairs.

The Chair noted that 17 buildings on the list were owned by Leeds City Council and he suggested that some may be repaired through Community Committee funding to try and reduce the number on the at risk list.

RESOLVED – To note the content of the report in particular that work is progressing towards reducing the number of Buildings at Risk in the city; and to report to Derelict and Nuisance Sites Steering Group on the findings of the pilot Buildings at Risk survey.

12 Neighbourhood Planning Update

The report of the Chief Planning Officer provided an update on neighbourhood planning progress and issues across the city, including good practice.

Members were informed that there are 35 designated neighbourhood areas across Leeds, covering the diversity of the city's neighbourhoods with neighbourhood plans under preparation in villages, markets towns and inner city communities. It was noted that most groups involved were generally making good progress although some have struggled with the long and democratic process.

The first plan to be made in Leeds is the Clifford Neighbourhood Plan and sets a good standard for other areas.

The neighbourhood plans deal with a number of issues including design of houses, protection of local green spaces some are also looking at issues specific to the area including:

Clifford – Relocation of a village green next to the village hall

Walton – Proposal to allocate some housing sites to provide for local housing need.

Holbeck- a green corridor to improve the general environment, air quality and safe and attractive walking and cycle area

Hyde Park – a policy to protect key cultural assets

Members heard that other areas which included Farsley, Halton, Armley, Cross Green, Morley had expressed an interest in producing a neighbourhood plan. There were a number of factors as to why the plans had not gone forward however one of

the main factors was due to the lack of local leadership that these plans had not progressed.

Members were informed that there were 2 main ingredients for a successful neighbourhood plan they were a good local leader who was trustworthy and collaboration with the Council working with both Officers and Members.

It was noted that leadership in the development of neighbourhood plans and their enthusiasm was key to the success of the plan going forward.

Members were advised that a leader was usually an individual who was prepared to bring people together and had the capacity and understanding of the needs of the community. It was noted that the individual is usually someone who already is undertaking work in the community.

Members discussed the following issues:

- Local leadership
- Capacity to include more inner areas in neighbourhood planning
- For communities to learn from each other with an opportunity to hold event workshops

Cllr. P Gruen spoke about his experience of working on an inner city neighbourhood plan. He said that it was a pleasurable experience because of the work being put forward. He thanked the Officer and his team for all the assistance and good work in helping people through the neighbourhood planning process.

The Chair suggested that Elected Members may be able to provide a little time to assist in capacity building even if it was only pointing people in the right direction.

A couple of mistakes were noted on Appendix 1 of the submitted report Collingham Parish Council and Linton Parish Council are located in Harewood Ward.

A brief discussion took place about the location of the green linear walk into the city centre. It was agreed that the Head of Planning Services send details of this to Cllr. Nash.

It was agreed that officers would send the link to the Good Councillors Guide to Local Planning to all Members of the Panel.

RESOLVED – Members to note the progress on neighbourhood planning in Leeds and the issues highlighted in the submitted report.

13 Date and Time of Next Meeting

The next meeting of Joint Plan Panel will be Thursday 30th November at 1.30pm.

Draft minutes to be approved at the meeting
to be held on Thursday, 30th November, 2017

