

Joint Plans Panel

Thursday, 14th July, 2016

PRESENT: Councillor C Gruen in the Chair

Councillors J Akhtar, J Bentley,
D Blackburn, C Dobson, P Gruen,
S Hamilton, G Latty, T Leadley, R Lewis,
J McKenna, E Nash, F Venner,
G Wilkinson and R Wood

21 Election of the Chair

RESOLVED – That Councillor C Gruen be elected as Chair for the duration of the meeting.

22 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

23 Late Items

There was a late item marked as Item 13 Housing Land Supply – Implications of Grove Road decision. All Members had received a copy of the report prior to the meeting.

24 Declarations of Disclosable Pecuniary Interests

There were no declarations of pecuniary interest.

25 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors B Anderson, C Campbell, D Congreve, M Coulson, A Garthwaite, J Heselwood, A Khan, S McKenna, K Ritchie, B Selby, C Towler, N Walshaw.

26 Minutes of the meeting held on 28th January 2016

RESOLVED – That the minutes of the meeting held on 28th January 2016, be approved as a correct record.

27 Matters arising from the minutes

Minute 16 – Matters arising

Members were provided with an update on Community Infrastructure Levy (CIL).

It was noted that there is currently no clear guidance how CIL would be reported to Plans Panels. The view is that where a significant amount of CIL money is received it would be recommended to Executive Board where Members would decide how the information would be disseminated

Members were informed that as of the previous week £135,000 of CIL had been received across the city.

Members to be kept updated.

In response to Members questions and, with the agreement of Members that where shared interests through Community Committees, Town and Parish Council and Neighbourhood Forums, and the distribution of CIL money this information would be disseminated at Joint Plans Panel.

Minute 17 – Planning Services Performance Report

It was noted that Members concerns were not in retrospective enforcement action but were in the delays in effective enforcement actions.

28 Housing Land Supply - Implications of Grove Road Decision

The report of the Chief Planning Officer informed Members of the considerations of the Secretary of State and his Inspector on an appeal against non-determination of planning permission for 103 dwellings on a Protected Area of Search at Grove Road, Boston Spa, which the Council had defended in May 2014. Members were informed that it had been determined that the appeal should be upheld and that permission should be granted.

It was noted that a challenge to the Secretary of State had been sent on 7th July 2016, on the grounds of inconsistency between Grove Road and the Bagley Lane decision in March 2015.

The basis of the challenge was set out at point 3 of the submitted report.

The Chief Planning Officer highlighted the following issues:

- The Council had decided to defend the Bagley Lane decision, the appeal is due to re-open in January 2017.
- The decision suggests that Leeds has a record of under-delivery of housing and should have a 20% buffer applied to its requirement, whereas the Bagley Lane inspector had accepted a 5% buffer.
- Two Inspectors decisions were diametrically opposite.
- 3 conjoined appeals heard by the same Inspector would be handed to the Secretary of State this summer

Members discussed at length the following points:

- The significant difference between a 5% buffer and a 20% buffer
- Early communication to communities should the need arise due the release of Protected Area of Search sites.
- Unachievable targets
- The effect that Brexit would have on planning and development.
- Using CIL money in the right location.
- Brownfield sites still awaiting development
- More affordable homes needed in Leeds
- Greenfield and Brownfield sites linked together for development

In response to Members it was noted that a visit from government was due to take place to speak on planning issues and discuss site allocation plan and the 5% buffer.

Members were informed of the difficulties in comparing ourselves with other authorities in the fact that Leeds is unique in size and geography given the amount of land that surrounds the city. Leeds has the highest targets to deliver against outside of London.

RESOLVED – That the Joint Plans Panel noted the submitted report for information.

29 2015-16 Performance Report

The report of the Chief Planning Officer provided the Members with an end of year report for the period April 2015 to March 2016.

Members were informed that there had been an increase in applications submitted and also an increase in decisions made.

The Panel heard that there had also been an improvement in timescales and service improvements continue to be made.

The Customer Services Section of Planning Services had retained the Customer Services Excellence standard which they had held since 2009. The Service was reassessed in March 2016 against two categories of the standard and was re-awarded the CSE standard with no non-compliances.

Members attention was drawn to specific points of the submitted report with Members provided with information on the following issues:

- Planning performance and workload
- Comparison with Core Cities
- Permitted development and the new changes
- Panel decision making and decisions not in accordance with officer recommendations
- Compliance activity – the number of enforcement cases remained at the same level as 2014-2015 with a significant number of complex cases being investigated. The number of cases had been reduced to 1000, a service objective.
- Work continues to monitor and control unauthorised long stay car parks within the city centre. A review of the commuter car parking policy is required following the granting of temporary permission for a number of car parks under the interim policy.
- Five people had left Planning Services two from the Area Teams, two from Customer Services and one from Enforcement.
- A Household Agents Conference held in October to look at improvements to the planning process was well attended with an action plan from the session now being delivered.
- Parish and Town Councils had moved to electronic working, receiving email notifications of applications in their area with a link to the application on Public Access. The move to electronic working will improve the service and deliver significant savings for the service.

- The Housing and Planning Bill was enacted on 13 May 2016.

The Chair thanked officers who continue to do their best to deliver as much as possible.

Members discussed the following points:

- Comparisons with Core Cities
- The working relationship between Members and Officers
- The amount of enforcement action undertaken in Leeds compared with other authorities and the frustration that Members often feel with these cases.
- The slow process in dealing with derelict buildings and the issues that they cause to communities.
- The Building Services Team who had not been included within the submitted report
- Validation of applications
- Retrospective applications
- Timescales for objections to permitted development

In response to Member discussions the Panel were informed:

- That not all enforcement cases were breaches of planning issues, therefore, planning were unable to take action. When the issue was a case for planning they had to weigh up whether enforcement action was the right and fair way to proceed. The service also had to decide on what the judgement would be and whether the Council would win.
- The fees for retrospective applications was imposed by central Government.
- Assurance given that no decision on a planning matter can be taken before the 21 day notice period.

Members requested that a clear and consistent format be used when providing Ward Councillor objections.

Members were of the view that Member Officer relationships worked well.

RESOLVED - That Members noted the report.

Cllrs Lewis and Peter Gruen left the meeting for a short period during this item.

Cllrs. Venner and Akhtar Left the meeting during this item.

30 Member Notification of Planning Applications

The officer member communication protocol was adopted in 2013 and set out the way officers should communicate and involve ward members in planning applications.

Some of the provisions in that protocol had become out dated and internal processes and technology had moved on.

A review of the protocol was undertaken by the Joint Member Officer Working Group (JMOWG) in March 2016.

The Working Group agreed that Public Access would be the main way to disseminate information about planning applications and appeals, as the system can automatically inform Members about such matters in their Ward area. It would require an initial set up but then required no on-going staff intervention.

The Parish and Town Councils had also started using the Public Access system as a way to inform them of planning applications in their area.

Members noted that the removal of a duplicate staff heavy process would create operational efficiencies without reducing the service to Members. Services to Members would then concentrate on those areas which would add value to the overall planning process such as Member briefings and workshops.

It was noted that the Group Office would be involved in the setting up of this system.

Members requested that Group Offices were made aware of the new system to ensure that this process is done efficiently.

Members discussed the new system also the system used by highways which they thought did not provide enough information to be relevant.

Members noted that the link to the highways system had been a white paper motion at full Council.

Cllr. Latty had been piloting the new Public Access system and spoke in support of the new system.

RESOLVED - That Members noted the report.

31 Household Permitted Development

The report of the Chief Planning Officer brought to Members attention the new guidance aimed at householders, which was intended to help home owners to understand more about detailed rules on permitted development and the terms used in those rules.

The guidance covered all classifications of development, such as extensions, conversions, additional buildings, external alterations, hard landscaping/surfaces, etc.

The guidance had been appended to the submitted report.

RESOLVED – That Members noted the submitted report.

32 Buildings at Risk

The report of the Chief Planning Officer informed the Joint Plans Panel 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 there are 89 known buildings at risk which account for 3.6% of the total of listed buildings in the city. The City Council owns 18 buildings at risk.

It was noted that an on-going building at risk survey was being carried out by volunteers under the joint management of the City Council and the Leeds Civic Trust. The survey is due to be completed by the end of the year.

The City Council has a strategy to deal with buildings at risk and had assisted with 11 buildings being repaired since the last report in 2015.

Members were informed of work being carried out at Mike's Carpets, Armley, Drighlington Junior School, St. John's Church, Roundhay, and York Road Library.

Members attention was drawn to the 'Big Five' a list of buildings with significant regeneration potential which was attached to the submitted report. The 'Big Five' included, First White Cloth Hall, Temple Mill and Temple Lodge, Holbeck, Stank Hall Barn, Beeston, Hunslet Mill, Thorpe Hall, Thorpe on the Hill.

Members were informed that significant progress had been made in securing funding for the restoration of First White Cloth Hall, which had been derelict for many decades. Substantial amounts had been offered by the Heritage Lottery Fund and Historic England. A feasibility study had been carried out which had identified a viable option and negotiations were ongoing to secure the freehold of the building. Work on the restoration would be completed in 2019.

Members discussed the following:

- Stanks Hall Barn – The issues associated with access, vandalism, and re-use.
- The improvement works on Mike's Carpets
- Specific buildings which were listed as part of the submitted report which were in their Wards.
- Concerns of safety around these buildings
- The relationship between officers and developers where linking a development to a listed building
- The High Royds development and the potential restoration of the ballroom.
- Signing of the Section 106 Agreement.
- The use of Community Committee funding for small community projects
- The need to put more pressure on the Heritage Board

RESOLVED – That Joint Plans Panel noted the content of the submitted report, in particular that work is progressing towards reducing the number of buildings at risk in the city.

Noted the report to Derelict and Nuisance Sites Steering Group on the findings of the pilot buildings at risk survey.

Cllrs Wilkinson, Hamilton and Lewis left the meeting during this item.

33 Date and time of next meeting

Draft minutes to be approved at the meeting
to be held on Thursday, 15th December, 2016

The date and time of the next meeting will be Thursday 15th December 2016, at 1.30pm.