



## Horsforth Town Council

Mechanics Institute  
Town Street  
Horsforth  
Leeds  
LS18 5BL

[admin@horsforthtowncouncil.gov.uk](mailto:admin@horsforthtowncouncil.gov.uk) – [www.horsforthtowncouncil.gov.uk](http://www.horsforthtowncouncil.gov.uk) – **0113 258 0988**

### To Members of the Planning & Licensing Committee

You are summonsed to attend a meeting of the Planning and Licensing Committee at the Town Council Office, Mechanics Institute, Town Street, Horsforth on Thursday 18 May 2017 at 7pm.

Members of the public are welcome to attend the meeting.

J Sou  
Acting Clerk  
12 May 2017

### Agenda

- 1. To receive apologies for absence and to consider the reason for the absence**
- 2. Declaration of Disclosable Pecuniary and other Interests**  
To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 14-19 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 20-21 of the Members' Code of Conduct.
- 3. To consider questions and comments from members of the public at the Chairman's discretion**  
Members of the Public are reminded that this is their opportunity to speak to the meeting on any topic relevant to the work of the committee. However they may not speak during the remainder of the meeting unless specifically invited to do so by the Chairman.
- 4. Minutes of the previous meetings**  
The Committee is asked to approve the minutes of the meeting held on Thursday 6 April 2017.
- 5. Leeds City Council Planning Decisions**  
To report on planning decisions granted by Leeds City Council.  
**List attached.**

- 6. Comment on Planning Applications since the last meeting of this Committee**  
To consider and comment on planning applications received from Leeds City Council.  
**List attached.**

Comments from members of the public in respect of the following applications are attached for members to consider:

- Ref 17/01948/FU – 203 Hall Lane, Horsforth, Leeds LS18 5EG
- Ref 17/00639/FU – land to rear of 1 Bridge Wood Close, Horsforth, Leeds LS18 5TR

**7. Planning Appeals & Planning Appeal Decisions**

**7.1.** To consider planning appeals received.

**7.2.** To note planning appeal decisions

Appeal ref: 103167

Address: Eastfield Scotland Lane Horsforth Leeds LS18 5SE

Nature: Erection of wall exceeding one metre in height adjacent to a highway used by vehicular traffic

Status: Appeal Dismissed

Appeal Type: Enforcement Appeal

Planning Inspectorate decision attached.

**8. Licensing Applications.**

To consider applications received since the last meeting.

**List attached.**

**9. Kirkstall Forge Liaison Group**

To receive and note updates.

**10. Leeds Bradford Airport (LBA)**

**10.1.** To receive and note updates from the Leeds Bradford Airport Consultative Committee.

**10.2.** To receive and note updates regarding the Leeds Bradford Airport Link Road.

**11. Report from Local Residents Associations**

To receive and note updates.

**12. Report from the WARD Group**

To receive and note updates.

**13. Report and Recommendations from Neighbourhood Plan Working Group (NPWG)**

**13.1.** To receive and note reports/minutes from the NPWG and to consider recommendations.

**13.2.** To note the next meeting date: To be advised

**14. Site Allocation**

To consider the site allocations in the LS18 postcode area.

**15. To note the current list of key planning enforcement cases**

**16. Community Infrastructure Levy**

To consider and note information on the community infrastructure levy.

**17. Horsforth Hall Park Skate Park**

To receive and consider updates.

**18. Items for future agenda**

**19. Date of the next meeting**

The next meeting will be of the new Planning, Licensing and Traffic Committee on Thursday 15 June 2017.

*Distribution: Cllrs M Boyes, J Garvani, S Glover, R Hardcastle, M Holmes, M Hughes, A Radford, I Scott*



**Item 4**  
**Minutes of the previous meeting**



**Horsforth Town Council**  
**Planning & Licensing Committee Minutes**  
**Thursday 6 April 2017 at 7pm.**

**Present: In Chair** - Cllr R Hardcastle.

Cllr M Boyes, Cllr J Garvani, Cllr S Glover, Cllr M Holmes, Cllr I Scott

**In attendance:** J Sou – Acting Clerk

**PL/16.210**     **These minute numbers have been left blank intentionally.**

**PL/16.211**     **To receive apologies for absence and to consider the reason for the absence**  
It was proposed by Cllr J Garvani, seconded by Cllr I Scott and **resolved that the apologies and reasons for absence from Cllrs M Hughes and A Radford be accepted.**

**PL/16.212**     **Declaration of Disclosable Pecuniary and other Interests**  
To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 14-19 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 20-21 of the Members' Code of Conduct.

None declared.

**PL/16.213**     **To consider questions and comments from members of the public at the Chairman's discretion**  
Members of the public are reminded that this is their opportunity to speak to the meeting on any topic relevant to the work of the Committee. However they may not speak during the remainder of the meeting unless specifically invited to do so by the Chairman.

No members of the public present.

**PL/16.214**     **Minutes of the previous meetings**  
The Committee was asked to approve the minutes of the meeting held on Thursday 16 March 2017.  
It was proposed by Cllr J Garvani, seconded by Cllr M Holmes and **resolved that the minutes of the meeting held on Thursday 16 March 2017 are a true record.**

**PL/16.215**     **Leeds City Council Planning Decisions**  
To report on planning decisions granted by Leeds City Council.  
List attached. **Noted.**

**PL/16.216**     **Comment on Planning Applications since the last meeting of this Committee**

## Item 4

### Minutes of the previous meeting

To consider and comment on planning applications from Leeds City Council.

**Comments attached.**

- PL/16.217 Planning Appeals & Planning Appeal Decisions**  
**16.217.1.** To consider planning appeals received.  
None received.  
**16.217.2.** To note planning appeal decisions.  
No planning appeal decisions to report.
- PL/16.218 Licensing Applications**  
To consider applications received since last meeting.  
List attached.  
**Noted.**
- PL/16.219 Kirkstall Forge Liaison Group**  
To receive and note updates.  
No updates received.
- PL/16.220 Leeds Bradford Airport (LBA)**  
**16.220.1.** To receive and note updates from the LBA Consultative Committee.  
Two reports attached. **Noted.**  
**16.220.2.** To receive and note updates regarding the LBA Link Road.  
No updates received.
- PL/16.221 Report from Local Residents Associations**  
To receive and note updates.  
No updates received.
- PL/16.222 Report from the WARD Group**  
To receive and note updates.  
No updates received.
- PL/16.223 Report and Recommendations from Neighbourhood Plan Working Group (NPWG)**  
**16.223.1.** To receive and note reports/minutes from the NPWG and to consider recommendations.

Minutes from the meeting of 23 March 2017 attached. **Noted.**

The NPWG recommended that the Committee agree commissioning of research to determine the effects of loss of existing car parks in Horsforth. Cost approximately £900 plus VAT.

It was **noted** there were sufficient funds in the Neighbourhood Plan budget to cover this sum.

## Item 4

### Minutes of the previous meeting

It was proposed by Cllr S Glover, seconded by Cllr I Scott and **resolved to agree the commissioning of car park research for approximately £900 plus VAT.**

**16.223.2.** To note the next meeting date: to be confirmed.

**Noted.**

**PL/16.224 Site Allocations**

To consider the site allocations in the LS18 postcode area.

To note final comments sent to Leeds City Council on the pre-submission changes to the Leeds Site Allocations Plan (attached).

**Noted.**

**PL/16.225 To note the current list of key planning enforcement cases**

No updates received.

**PL/16.226 Community Infrastructure Levy**

To consider and note information on the Community Infrastructure Levy.

No further information received.

**PL/16.227 Horsforth Hall Park Skate Park**

To receive and consider updates.

No updates received.

**PL/16.228 Items for future agenda**

None.

**PL/16.229 Date of the next meeting**

The date of the next meeting is 18 May 2017.

**Noted.**

The meeting closed at 8.25pm

*Distribution:*

*Cllr M Boyes, Cllr J Garvani, Cllr S Glover, Cllr R Hardcastle,  
Cllr M Holmes, Cllr M Hughes, Cllr A Radford, Cllr I Scott*





## Item 4 – Minutes of the Previous Meeting

### Minute PL/16.216

#### Comment on planning applications since the last meeting of the Committee

Application No.	Address/Location	Details	HTC Planning & Licensing Committee Decision
<a href="#">17/00452/LA</a>	Calverlands Day Centre Church Lane Horsforth Leeds LS18 5LA	Single storey rear extension	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01171/FU</a>	1 Glenwood Villas New Road Side Horsforth Leeds LS18 4JX	Install patio doors and patio area to ground floor flat to rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01199/FU</a>	Emmanuel Baptist Church Hall Lane Horsforth Leeds LS18 5JE	Alterations to boundary treatment and installation of extract ventilation to side/rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01356/FU</a>	22 Hall Park Close Horsforth Leeds LS18 5LS	Single storey side extension	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01399/FU</a>	18 Rawdon Road Horsforth Leeds LS18 5DZ	Raising roof height to form new first floor; single storey side extension; detached garage to rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01463/FU</a>	42 Burley Lane Horsforth Leeds LS18 4NR	Dormer window to rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01475/FU</a>	25 Airedale Drive Horsforth Leeds LS18 5ED	Single storey rear extension and first floor side extension	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01509/FU</a>	92 New Road Side Horsforth Leeds LS18 4QB	Variation of condition 2 (opening hours) of previous approval 08/01626/FU to allow opening hours of 0700 hours to 2300 hours Monday to Sunday	Objection. The area is already well provided with licensed premises and extending the hours would be contrary to the Horsforth Cumulative Impact Policy.
<a href="#">17/01521/FU</a>	72 Newlay Grove Horsforth Leeds LS18 4LH	Single storey rear extension	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01532/FU</a>	42 Broadgate Lane Horsforth Leeds LS18 4AG	Two storey and single storey side/ rear extension including gable wall side extension with dormer window to rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01534/FU</a>	28 Brownberrie Avenue Horsforth Leeds LS18 5PN	Two storey and single storey side/rear extension with raised patio area, retaining wall and steps to rear	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01539/FU</a>	23 Victoria Mount Horsforth Leeds LS18 4PU	Two storey and single storey side/rear extension	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01558/FU</a>	8 St Margarets Drive Horsforth Leeds LS18 5BQ	Two storey side extension, single storey front extension, pitched roof to existing roofs	Horsforth Town Council neither supports nor objects to this application.
<a href="#">17/01659/FU</a>	17 Broadgate Walk Horsforth Leeds LS18 4HF	Part two storey part single storey rear extension	Horsforth Town Council neither supports nor objects to this application.

**LIST CLOSED 30/03/2017 5.22pm**



## Item 5

### Leeds City Council Planning Decisions

#### LCC Planning Decisions: 30 March 2017 – 12 May 2017

New ground floor window to flat 9

9 Stanhope Court Brownberrie Lane Horsforth Leeds LS18 5SR

Ref. No: 17/00421/FU | Received: Fri 20 Jan 2017 | Validated: Fri 10 Feb 2017 | Status: Application

Approved

Single storey rear extension

Calverlands Day Centre Church Lane Horsforth Leeds LS18 5LA

Ref. No: 17/00452/LA | Received: Mon 23 Jan 2017 | Validated: Thu 16 Mar 2017 | Status: Application

Approved

New shop front

Lets Live Leeds Ltd 2 Regent Road Horsforth Leeds LS18 4NP

Ref. No: 17/00585/FU | Received: Mon 30 Jan 2017 | Validated: Mon 06 Feb 2017 | Status: Application

Approved

One illuminated sign

Lets Live Leeds Ltd 2 Regent Road Horsforth Leeds LS18 4NP

Ref. No: 17/00586/ADV | Received: Mon 30 Jan 2017 | Validated: Mon 06 Feb 2017 | Status: Application

Approved

Part two storey part single storey side and rear extension.

144 Hall Lane Horsforth Leeds LS18 5EG

Ref. No: 17/00609/FU | Received: Tue 31 Jan 2017 | Validated: Fri 10 Feb 2017 | Status: Application

Approved

Change of use of retail unit (A1) for form restaurant (A3) alterations including new shop front and flue to rear

30 Town Street Horsforth Leeds LS18 4RJ

Ref. No: 17/00623/FU | Received: Tue 31 Jan 2017 | Validated: Tue 14 Feb 2017 | Status: Application

Approved

*HTC P&L Committee comments:*

*Objection.*

*There is insufficient parking in the area*

*Permitting another restaurant would be contrary to the Cumulative Impact Policy*

*Extract from Planning Officer's report:*

*Highways*

*Considering the town centre location, the lack of parking associated with this application does not raise an objection from the Highways Authority. Public parking is at a premium but the building already has a commercial use. Furthermore, a restaurant would most likely compete for business with other existing outlets already situated on Town Street. The applicant has submitted a layout plan that allocates space for a bin store and cycle parking that would not interfere with parking and turning on Back Town Street.*

*This plan also includes an amended redline boundary to accommodate external space for rear access, cycle parking and bin storage.*

*Representations*

*Unfortunately, considering the town centre location, a reason for refusal regarding parking could not be substantiated at appeal. Policy P2 sets out that restaurants are an acceptable use in town centres. Therefore, an assessment of cumulative impact is not appropriate here. However, this policy is married with SF7 that is discussed above.*

## Item 5

### Leeds City Council Planning Decisions

*The Cumulative Impact Policy is a licensing initiative and not a material planning consideration in this case.*

First floor side extension and conversion of integral garage to habitable room

6 Holly Park Horsforth Leeds LS18 5US

Ref. No: 17/00792/FU | Received: Wed 08 Feb 2017 | Validated: Wed 08 Feb 2017 | Status: Application Approved

Single storey side/rear extension with external flue to rear; gable wall rear extension including dormer and roof alterations to other side

17 Montfort Close Horsforth Leeds LS18 5SX

Ref. No: 17/00862/FU | Received: Fri 10 Feb 2017 | Validated: Fri 10 Feb 2017 | Status: Application Approved

Part two storey, part first floor, part single storey front/side/rear extension

17 Hall Park Close Horsforth Leeds LS18 5LS

Ref. No: 17/00863/FU | Received: Fri 10 Feb 2017 | Validated: Thu 16 Feb 2017 | Status: Application Approved

Gable wall side extension with dormer window to rear and roof lights to front

26 Regent Avenue Horsforth Leeds LS18 4NJ

Ref. No: 17/00869/FU | Received: Fri 10 Feb 2017 | Validated: Fri 10 Feb 2017 | Status: Application Refused

*HTC P&L Committee comments:*

*Horsforth Town Council neither supports nor objects to this application.*

*LCC decision:*

*Planning permission refused in accordance with the plans and specifications for the reason(s) set out below:-*

*The Local Planning Authority considers that the proposed hip to gable roof extension, and the proposed rear dormer on this positive building in the Conservation Area, would be unsympathetic and harmful to the character and appearance of the host dwelling and the general street scene. Additionally it would fail to preserve and enhance the special character of the Cragg Hill and Woodside Conservation Area. The proposal would introduce an uncharacteristic gabled roof form which would also unbalance the pair of semi-detached properties. The proposal is therefore contrary to policies P10 and P11 of the Core Strategy, to saved policies GP5 and BD6 of the Leeds UDPR, to policy HDG1 of the SPD Householder Design Guide, to the adopted Cragg Hill and Woodside Conservation Area Appraisal, and to guidance contained within paragraphs 17, 56, 61 and 64 of the National Planning Policy Framework.*

Single storey rear extension

42 Rawdon Road Horsforth Leeds LS18 5EW

Ref. No: 17/00909/FU | Received: Mon 13 Feb 2017 | Validated: Mon 13 Feb 2017 | Status: Application Approved

Two storey/single storey side and rear extension

37 Victoria Crescent Horsforth Leeds LS18 4PT

Ref. No: 17/00999/FU | Received: Thu 16 Feb 2017 | Validated: Thu 16 Feb 2017 | Status: Application Approved

Install patio doors and patio area to ground floor flat to rear

1 Glenwood Villas New Road Side Horsforth Leeds LS18 4JX

## Item 5

### Leeds City Council Planning Decisions

Ref. No: 17/01171/FU | Received: Thu 23 Feb 2017 | Validated: Mon 13 Mar 2017 | Status: Application Approved

Alterations to boundary treatment and installation of extract ventilation to side/rear  
Emmanuel Baptist Church Hall Lane Horsforth Leeds LS18 5JE

Ref. No: 17/01199/FU | Received: Fri 24 Feb 2017 | Validated: Mon 13 Mar 2017 | Status: Application Approved

3.3m single storey rear extension, 3.51m to ridge height, 2.6m to eaves  
192 Stanhope Drive Horsforth Leeds LS18 4LU

Ref. No: 17/01248/DHH | Received: Mon 27 Feb 2017 | Validated: Mon 27 Feb 2017 | Status: Not Required

Single storey side extension

22 Hall Park Close Horsforth Leeds LS18 5LS

Ref. No: 17/01356/FU | Received: Thu 02 Mar 2017 | Validated: Thu 02 Mar 2017 | Status: Application Approved

Raising roof height to form new first floor; single storey side extension; detached garage to rear  
18 Rawdon Road Horsforth Leeds LS18 5DZ

Ref. No: 17/01399/FU | Received: Fri 03 Mar 2017 | Validated: Fri 03 Mar 2017 | Status: Application Approved

Single storey rear extension and first floor side extension

25 Airedale Drive Horsforth Leeds LS18 5ED

Ref. No: 17/01475/FU | Received: Tue 07 Mar 2017 | Validated: Tue 07 Mar 2017 | Status: Application Approved

Single storey rear extension

72 Newlay Grove Horsforth Leeds LS18 4LH

Ref. No: 17/01521/FU | Received: Wed 08 Mar 2017 | Validated: Wed 08 Mar 2017 | Status: Application Approved

Two storey side and single storey side/rear extension

42 Broadgate Lane Horsforth Leeds LS18 4AG

Ref. No: 17/01532/FU | Received: Thu 09 Mar 2017 | Validated: Fri 10 Mar 2017 | Status: Application Approved

Two storey and single storey side/rear extension with raised patio area, retaining wall and steps to rear  
28 Brownberrie Avenue Horsforth Leeds LS18 5PN

Ref. No: 17/01534/FU | Received: Thu 09 Mar 2017 | Validated: Thu 09 Mar 2017 | Status: Application Refused

*HTC P&L Committee comments:*

*Horsforth Town Council neither supports nor objects to this application.*

*LCC decision:*

*Planning permission refused in accordance with the plans and specifications for the reason(s) set out below:-*

*1) The Local Planning Authority considers that the proposed extension would cause a significant dominating and overshadowing effect upon the neighbouring property to the north due to the creation of a substantial two storey wall of development in close proximity to the boundary with that property. This would be to the detriment of residential amenity and contrary to policy P10 of the adopted Core Strategy, to saved policies GP5 and BD6 of the Leeds UDPR, to policy HDG2 of the*

## Item 5

### Leeds City Council Planning Decisions

*SPD Householder Design Guide, and to paragraphs 17, 56, 58 and 64 of the National Planning Policy Framework.*

Single storey side/rear extension

23 Victoria Mount Horsforth Leeds LS18 4PU

Ref. No: 17/01539/FU | Received: Thu 09 Mar 2017 | Validated: Mon 20 Mar 2017 | Status: Application Approved

Two storey side extension, single storey front extension, pitched roof to existing roofs

8 St Margarets Drive Horsforth Leeds LS18 5BQ

Ref. No: 17/01558/FU | Received: Thu 09 Mar 2017 | Validated: Thu 09 Mar 2017 | Status: Application Approved

3.9m single storey rear extension 4m to ridge height and 2.9m to eaves

55 Brownberrie Avenue Horsforth Leeds LS18 5PW

Ref. No: 17/02036/DHH | Received: Tue 28 Mar 2017 | Validated: Wed 29 Mar 2017 | Status: Not Required

4.5m single storey rear extension, 3.4m to ridge height and 2.6m to eaves

22 Victoria Gardens Horsforth Leeds LS18 4PH

Ref. No: 17/02102/DHH | Received: Fri 31 Mar 2017 | Validated: Fri 31 Mar 2017 | Status: Not Required

**Updated: 12 May 2017 11:41am**

## Item 6

### Comment on Planning Applications since the last meeting of this Committee

Application No.	Address/Location	Details
<a href="#">16/05076/FU</a>	Throstle Nest Villa New Road Side Horsforth Leeds LS18 4LS	Part retrospective application for the installation of Biomass hoppers to rear of garage with associated flues; Solar Panels to roof of garage and extension of garage to enclose fuel storage hoppers  Revised and additional plans submitted.
<a href="#">17/00639/FU</a>	Land To Rear Of 1 Bridge Wood Close Horsforth Leeds LS18 5TR	Detached dwelling with associated parking
<a href="#">17/01201/A DV</a>	Emmanuel Baptist Church Hall Lane Horsforth Leeds LS18 5JE	One illuminated and four non illuminated signs
<a href="#">17/01565/FU</a>	14 West End Rise Horsforth Leeds LS18 5JL	Single storey front extension and single storey rear extension
<a href="#">17/01761/FU</a>	28 Brownberrie Walk Horsforth Leeds LS18 5PG	Single storey extension including raised decking area with steps and handrail above to rear; alterations to front porch, new steps with handrail to side and rendering to front side and rear elevations
<a href="#">17/01859/FU</a>	22 Breary Terrace Horsforth Leeds LS18 5QJ	Single storey side/rear extension
<a href="#">17/01878/FU</a>	8 Scotland Close Horsforth Leeds LS18 5SG	Single storey orangery extension to side and rear
<a href="#">17/01908/FU</a>	Yarnbury R U F C Brownberrie Lane Horsforth Leeds LS18 5HB	New artificial grass sports pitch with perimeter pitch barrier, new hard standing areas, new floodlights and maintenance equipment store
<a href="#">17/01948/FU</a>	203 Hall Lane Horsforth Leeds LS18 5EG	Single storey side and rear extension, porch to front and raised patio to rear
<a href="#">17/02046/FU</a>	47 Lee Lane West Horsforth Leeds LS18 5RJ	Single storey rear extension

## Item 6

### Comment on Planning Applications since the last meeting of this Committee

Application No.	Address/Location	Details
<a href="#">17/02061/A DV</a>	125 Low Lane Horsforth Leeds LS18 5PX	12 illuminated signs
<a href="#">17/02067/FU</a>	Former Site The Manor Calverley Lane Horsforth Leeds LS13 1NP	Eight houses
<a href="#">17/02099/FU</a>	38A Newlay Lane Horsforth Leeds LS18 4LE	Detached house to garden
<a href="#">17/02113/FU</a>	11 Park Grove Horsforth Leeds LS18 5EE	Single storey side and rear extension
<a href="#">17/02128/FU</a>	4 Hall Park Garth Horsforth Leeds LS18 5LT	Part two storey, part first floor side/rear extension
<a href="#">17/02227/FU</a>	24 Charles Street Horsforth Leeds LS18 4QH	Single storey side/rear extensions and loft conversion with dormer window to rear
<a href="#">17/02247/FU</a>	128 Hall Lane Horsforth Leeds LS18 5JG	Single storey extension and detached two storey garage both to rear
<a href="#">17/02311/FU</a>	2 West End Rise Horsforth Leeds LS18 5JH	Attached garage to front and side
<a href="#">17/02341/FU</a>	11 Melrose Villas Melrose Terrace Horsforth Leeds LS18 4BU	New pitched roof to existing extension including raised decking area with steps and balustrade above to rear
<a href="#">17/02351/FU</a>	19A Victoria Gardens Horsforth Leeds LS18 4PJ	Single storey extension including alterations and new tiled roof to existing conservatory to rear
<a href="#">17/02371/FU</a>	87 Bachelor Lane Horsforth Leeds LS18 5NF	Single storey side and rear extension
<a href="#">17/02385/FU</a>	Woodside Tavern 299 Low Lane Horsforth Leeds LS18 4DD	Removal of entrance canopy. new lobby extension, with existing decking cut back to suit new design.



## Item 6

### Comment on Planning Applications since the last meeting of this Committee

Application No.	Address/Location	Details
<a href="#">17/02481/FU</a>	Brownberrie Farm Brownberrie Lane Horsforth Leeds LS18 5HE	Demolition of existing dwelling and outbuilding and construction of new detached dwelling and carport with associated landscaping and access gates
<a href="#">17/02555/FU</a>	107 Outwood Lane Horsforth Leeds LS18 4HU	Dormer window to rear
<a href="#">17/02592/FU</a>	11 Newlay Wood Fold Horsforth Leeds LS18 4HJ	Single storey rear extension Garage to habitable room and Annexe to rear.
<b>LIST UPDATED 12/05/2017 10:39AM</b>		



Item 6

Comments from members of the public on planning applications

Ref: 17/01948/FU – 203 Hall Lane

10/4/17

Horsforth Town Planning Committee

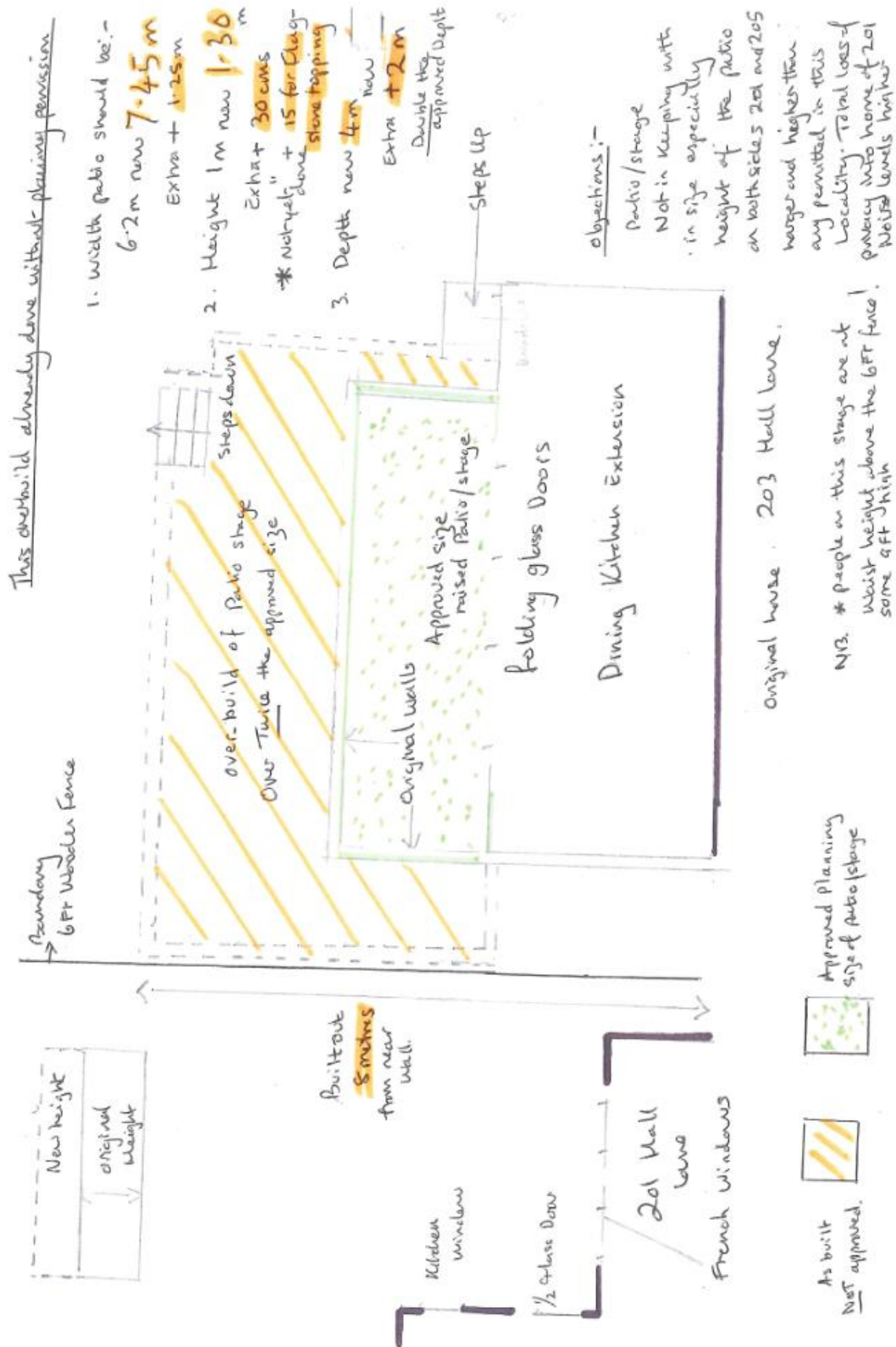
Rough Drawing / visual aid  
re-complaint of non-compliance  
with approved planning permission  
and now a retrospective application  
to keep overbuild as is.

objection submitted by

Item 6

Comments from members of the public on planning applications

Ref: 17/01948/FU – 203 Hall Lane



## Item 6

### Comments from members of the public on planning applications

Ref: 17/00639/FU – Land to rear of 1 Bridge Wood Close

**Sent:** 03 May 2017 06:59

**To:** [admin@horsforthtowncouncil.gov.uk](mailto:admin@horsforthtowncouncil.gov.uk)

**Subject:** Website Enquiry Form

## Comments

Detail of the comments can be seen below:

Name

Telephone

Email



## Comments

Hello I am really concerned about a planning application for Ls185tr that will include the removal of about 40 trees. I have lodged an objection but wondered if Horsforth council could consider this issue also. Thanks Kate



**Item 7.2**  
**Planning Appeal Decisions**  
**Eastfield Scotland Lane Horsforth Leeds LS18 5SE –**  
**appeal against enforcement notice**



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## Appeal Decisions

Site visit made on 27 March 2017

by **Thomas Shields MA DipURP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 April 2017

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**Appeal A: APP/N4720/C/16/3161327**

**Appeal B: APP/N4720/C/16/3161328**

**Eastfield, Scotland Lane, Horsforth, LS18 5SE**

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
  - The appeals are made by Mr P J Newstead (Appeal A) and Mrs N C Newstead (Appeal B) against an enforcement notice issued by Leeds City Council.
  - The notice was issued on 29 September 2016.
  - The breach of planning control as alleged in the notice is without planning permission, the erection of a wall that exceeds one metre in height, located adjacent to a highway used by vehicular traffic, which exceeds the height permitted under Class A, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
  - The requirements of the notice are:
    - Either:
      - Dismantle the wall in its entirety and remove all the excess materials resulting from the wall from the land
    - Or:
      - Reduce the height of the wall and gates so that no part exceeds one metre in height when measured from ground level so that the development accords with the provisions of Class A, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
      - And remove all excess materials resulting from the height reductions from the land.
  - The period for compliance with the requirements is 2 months.
  - Appeal A is proceeding on grounds set out in section 174(2) (a) and (c) of the Town and Country Planning Act 1990 as amended (the Act). Appeal B is proceeding on ground (c). Since the prescribed fee has been paid within the specified period for Appeal A, the application for planning permission deemed to have been made under section 177(5) of the 1990 Act also falls to be considered.
- 

### Decision

1. The appeals are dismissed, planning permission is refused and the enforcement notice is upheld.

### Appeal site

2. The appeal property is a dwelling house with a wide frontage and is enclosed by a front boundary wall of approximately 1.75 metres height above the pavement. Two sets of gates provide vehicular access onto Scotland Lane.

### The appeals on ground (c)

3. A ground (c) appeal is a claim that the matters referred to in the alleged breach of planning control, at Section 3 of the enforcement notice, do not
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**Item 7.2**  
**Planning Appeal Decisions**  
**Eastfield Scotland Lane Horsforth Leeds LS18 5SE –**  
**appeal against enforcement notice**

Appeal Decision APP/N4720/C/16/3161327

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constitute a breach of planning control. The onus of proof in this legal ground of appeal is upon the appellant, and the test of the evidence is on the balance of probability.

4. The appellant's case is that the wall and gates benefit from planning permission (permitted development) granted by Article 3 and Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the GPDO").

5. Class A of the Order grants planning permission as follows:

*The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.*

6. But development is not permitted by Class A if -

*(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed –*

*(i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;*

*(ii) in any other case, 1 metre above ground level;*

7. Section 336 of the Act defines "building" as including *any structure or erection, and any part of a building*, and in this regard there is no dispute that the wall and gates comprise a building and 'development' as defined by section 55 of the Act.

8. However, Article 2(1) 'Interpretation' of the GPDO states that for its purposes "building" does not include any gate, fence, wall or other means of enclosure. Therefore, Article 2(2) of the GPDO, which explains how the height of *buildings* should be measured on sites with non-uniform ground level, is not relevant to Class A set out above because of the exclusion at Article 2(1). Given these factors, the appellant's argument that the adjoining higher garden level on the inside of the boundary wall should be used to assess the height of the wall is incorrect.

9. Thus Class A simply relates to the height of walls, fences and gates relative to an adjacent highway and it seems to me that the GPDO was intentionally articulated in such a manner. The wall and gates subject of the notice are clearly adjacent to a highway used by vehicular traffic and exceed one metre in height above ground level. They are not therefore permitted development under Class A.

10. Since no planning permission exists for the wall and gates, they are a breach of planning control. The appeal on ground (c) therefore fails.

**The appeal on ground (a)**

11. The main issue is the effect on highway safety.

12. As constructed, I saw that the sections of tall boundary wall either side of the access gates considerably restrict visibility along the pavement and vehicular



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- carriageway in each direction. In such circumstances exiting drivers would be forced to edge forward over the pavement to gain better visibility. Conversely, visibility of exiting drivers to other road users would be similarly restricted.
13. In order to overcome these visibility limitations the appellant has installed a camera monitoring system (CMS). The CMS was not present at the time of an earlier appeal decision<sup>1</sup>, and new parking restrictions have been introduced on Scotland Lane. Given these changes in circumstances, I have determined this ground of appeal afresh on its own merit.
14. During my visit to the appeal site I was provided with a demonstration of the CMS. In brief, vehicles enter the property via the southern-most access gate only, and exit only via the northern access gate. The cameras, which monitor the pavement and road in each direction, are mounted on a pole just inside the boundary wall at a point approximately midway along the frontage. A monitoring screen attached to the southern wall of the northern access provides exiting drivers with the ability to check each direction for pedestrians and vehicles, or any other issues that may arise.
15. I accept that the operation of a single entrance and single exit for vehicles, together with the CMS, improves visibility than would otherwise be the case. However, with particular regard to pedestrians approaching the northern exit gate I am concerned that their safety is substantially dependent upon the efficacy of the CMS, coupled with the alertness and vigilance of the exiting driver, rather than pedestrians having a sufficient view of emerging vehicles and a reasonable, if not equal, degree of independent ability to exercise their own vigilance and preparedness.
16. My concern was underlined by the CMS demonstration undertaken during my visit to the appeal site. It became clear when looking at the exit monitoring screen that the viewing field of the cameras left a blind spot along a section of the pavement, that being part of the immediate approach to the vehicular exit point. Thus, for a short section of pavement leading up to the exit, pedestrians disappeared from view on the monitoring screen. I consider that to be inherently dangerous for pedestrians (and cyclists), and highlights the need for pedestrians to have a reasonable degree of independent capability with regard to their own safety.
17. Additionally, the Council's undisputed evidence resulting from consultation with the Highway Authority, is that Scotland Lane is a busy route with vehicle speeds often exceeding the 30mph speed limit, thereby necessitating a requirement for 2.4 by 90 metre visibility splay in each direction. The 60 metre visibility distance provided by the CMS therefore fails to provide that level of visibility.
18. Taking account of all the above factors, I consider that the development results in significant harm by creating an unacceptable increase in risk to highway safety in conflict with Policies P10 and T2 of the Core Strategy (2014) and saved Policy GP5 of the Leeds Unitary Development Plan (2006) which together seek to ensure that development creates safe and secure environments and would not create or add to problems of highway safety.

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<sup>1</sup> APP/N4720/D/16/3156156

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19. The appellant refers to the wall and gates in terms of their appearance, their compatibility with the character and appearance of the area, and related support from Development Plan policies and the NPPF<sup>2</sup>. The Council does not dispute these matters and I have no reason to do so either. However, while there is no objection or policy conflict in respect of these matters they do not outweigh the significant harm I have identified with regard to highway safety.
20. I have taken account of the new parking restrictions prohibiting on-street parking during the hours of 10:00 to 16:30 Monday to Friday. However, this does not overcome my concerns relating to sub-standard visibility splays, pedestrian visibility, or the efficacy of the CMS. A planning condition purporting to secure maintenance of the CMS would be very difficult to enforce and in any event would also not overcome my concerns on these matters.
21. Support for the development from local residents, and the existence of sub-standard visibility splays at other properties in Scotland Lane, also does not outweigh the significant harm I have identified.
22. I acknowledge that the garden level is approximately 0.85 metres above the level of the pavement. However the Council's photographic evidence clearly shows that the garden level was raised from its previous much lower level. I see no reason why a secure and safe boundary with the highway cannot be provided without resulting in the significant harm I have described in respect of highway safety.
23. For all the above reasons the ground (a) appeal fails.

*Thomas Shields*

INSPECTOR

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<sup>2</sup> The National Planning Policy Framework (2012)

## Item 8 New Licensing Applications

### Temporary Event Notices

From 31 March 2017 to 12 May 2017							
Reference	Address	Notifier	Start date and time	End date and time	Activities	Last date for representations	Notice Type
TEN/00892/17	Yarnbury R U F C, Brownberrie Lane, Horsforth, Leeds, LS18 5HB.	Mr Paul Trigg	20/07/2017 11:30	22/07/2017 23:00	Supply of Alcohol Provision of Regulated Entertainment Sale by Retail of Alcohol	24/04/2017	Normal TEN - Accepted as applied for
TEN/00917/17	Mavericks 80's Lounge, 62 Town Street, Horsforth, Leeds, LS18 4AP	Mr Samuel Baker	30/04/2017 00:00	01/05/2017 04:00	Provision of Regulated Entertainment Sale by Retail of Alcohol Provision of Late Night Refreshment	26/04/2017	Late TEN - Accepted as applied for
TEN/02602/17	Car Park Opposite Building 18, Leeds Trinity University, Brownberrie Lane, Horsforth, Leeds, LS18 5HD	Mr Simon Michael Ruston	21/05/2017 11:00	21/05/2017 18:00	Sale by Retail of Alcohol	08/05/2017	Normal TEN - Accepted as applied for
TEN/00321/17	Queens Arms, 99 Long Row, Horsforth, Leeds, LS18 5AT	Mrs Claire Elizabeth Sammon-Smith	03/06/2017 18:00	03/06/2017 22:00	Provision of Regulated Entertainment Sale by Retail of Alcohol	11/05/2017	Normal TEN - Awaiting payment
<b>List updated 12/05/2017 1:26pm</b>							

**Item 8**  
**New Licensing Applications**

<b>Ref</b>	<b>Premises Name And Address</b>	<b>Licence Holder</b>	<b>Application Type</b>	<b>Description of Application</b>	<b>Last date for representations</b>	<b>Case Officer</b>
<a href="#">PREM/00283/009</a>	The Brownlee Arms (formerly Grey Horse) Long Row Horsforth Leeds LS18 5AA	Brownlee Leeds Limited	Transfer	Premises Licence - Transfer	19/05/2017	Miss Charlotte Deighton
<a href="#">PREM/00054/008</a>	Toby Carvery 2 - 4 Fink Hill Horsforth Leeds LS18 4DH	Mitchells And Butlers Leisure Retail Limited	Variation	Premises Licence - DPS Change	22/05/2017	Miss Charlotte Deighton
<a href="#">PREM/01251/002</a>	Broadgate Lane Off Licence 1 Woodville Street Horsforth Leeds LS18 5DB	Mrs Divya Patel	Transfer	Premises Licence - Transfer	18/05/2017	Miss Charlotte Deighton
<a href="#">PREM/01251/003</a>	Broadgate Lane Off Licence 1 Woodville Street Horsforth Leeds LS18 5DB	Mrs Divya Patel	Variation	Premises Licence - DPS Change	18/05/2017	Miss Charlotte Deighton
<b>List updated 12/05/2017 1:34pm</b>						