

BARWICK in ELMET & SCHOLLES PARISH COUNCIL: PLANNING COMMITTEE meeting held at 6:30pm on Wednesday 30th November 2022 in Barwick Miner's Institute.

PRESENT: Councillors Alexandra Cantelo, Jacqueline Ward and Karen Dales.

In Attendance: The Clerk

- 1 **APOLOGIES FOR ABSENCE:** Cllr. Hassell.
- 2 **DECLARATIONS OF INTEREST:** None.
- 3 **MINUTES OF PREVIOUS MEETINGS:** It was **resolved** that the minutes of the Planning Committee meeting held on 26th October 2022 having been circulated, be approved and that the as the Chair had not attended this meeting, that Cllr. Ward sign these minutes.
- 4 **PLANNING APPLICATIONS:**

The following applications were considered

Application number & date	Applicant	Description
22/07608/TR 11 November 2022	62 The Boyle	G1 mixed species - to remove all trees along embankment by 2-4m to form a hedgerow. Reasons: historically maintain din error T1 Holly - To cut back by 2m. Reasons: overhanging garden and house T2 Leylandii (x4) - To reduce to 2m stumps. Reasons: to maintain a low hedgerow
Due to the deadline for submission of comments, the Clerk had replied to this application using his delegated authority taking into account the views of members of the Committee. There was no objection to the proposals for the Holly (T1) and Leylandii (T2) but it was felt that there was insufficient information regarding the trees along the embankment (G1) and therefore an objection to the proposals had been submitted.		
22/07480/FU 15 November 2022	36 Rakehill Road	Single storey front extension; first floor side extension over existing garage with balcony to front
The Committee noted that the proposal suggested a dormer and balcony on the front, adjacent properties on Belle Vue Avenue already had dormers on the front but these additions at the front of this property would not be in keeping with other properties along Rakehill Road nor in keeping with the Neighbourhood Plan's key objectives 1.2.1 (Maintaining the environment and distinctive character) and would have a visual impact on the area. There were concerns about the close proximity of the proposed extensions to the neighbouring property and the Committee felt that the rear window of the proposed extension would have an adverse effect on the residential amenity of neighbours,		

by reason of overlooking, loss of privacy and overshadowing. The proposals for a balcony on the front (with a great visual aspect for the residents) were noted. The 45° angle rule and Neighbourhood Plan policies LE1 and LE2 were considered. The side extension was high creating a snug and the proposals would give the property the appearance of a cottage-style house and the Committee felt that the proposals were an overdevelopment of the site and allowing this would set a precedent and it was therefore the Committee had no alternative but to object to this application.

22/07°521/FU 17 November 2022	2 Richmondfield Garth	Demolition of existing conservatory to rear and detached garage; construction of single storey side / rear extension; new single storey porch to side
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Although the Planning Committee were surprised at the layout of what was proposed (and in particular the gap between the two extensions), the Committee had **no objection** to this application as the proposed extension was not an overdevelopment of the site. The existing north-west elevation was considered. They were satisfied that there was still access to the rear and noted the presence of a manhole cover which affected the options available to the applicant.

22/07410/FU 25 November 2022	Whinmoor Grange Nursery, Thorner Lane	Replacement of existing outdoor children's play area
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This application was received after the agenda had been published and therefore the Clerk would respond using his delegated authority taking into account the views of the Committee. The Committee had **no objections** and welcomed the improvements to the playground.

22/07998/TR 30 November 2022	26 Leeds Road, Barwick In Elmet	G1- Beech- Shorten lateral spreading branches overhanging No 26's driveway by approximately 1-1.5m in length whilst maintaining a balanced form. Work has been prescribed to abate a nuisance (leaf litter and bird faeces).
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This application was also received after the agenda had been published and therefore the Clerk would respond using his delegated authority taking into account the views of the Committee. It was noted that there was a tree preservation order (TPO) on this well-established tree and that the tree was not growing in land belonging to the applicant, however some of the branches of the tree were overhanging land belonging to the applicant. It was noted that in law overhanging branches can be trimmed as long as they are returned to the owner of the tree, this law does not apply to trees or hedgerow with protection orders in place. There was no evidence that the applicant had consulted with their neighbour prior to submitting this application. It was felt that in cutting the overhanging branches, branches at the other side of the tree would also need to be cut in order to preserve shape and balance. It was felt that cutting branches by up to one and a half metres in length would not alleviate the problems of leaf litter and bird faeces. There was no evidence in the application that there had been an inspection for wildlife or protected species i.e. bats which may reside in the tree. The Committee had concerns of possible damage to the tree and adverse effect on the street scene which is aesthetically pleasing upon entering the village of Barwick in Elmet and is not in keeping with Neighbourhood Plan policy 5.2.1 (Conserving historic character) and regard should be paid to the importance of conserving those non designated historic assets identified in line with national policy and guidance and other development plan policies. Taking this into consideration and that the tree was posing no danger to public or property, the Planning Committee had no alternative but to **object** to this application entirely.

5. OTHER MATTERS

- a. Update on removal of wall on Leeds Road - Case Ref 22/00681/UOPS2.

Ongoing. Neighbours reported that the landowner attended the site on a specific day of the week and had given the times of these visits. There had been difficulty in getting the address of the landowner.

- b.** Concerns that the chicken farm on Long Lane is being used for storage of scrap vehicles - Case Ref 22/01065/UCU3. Following the last meeting, the Clerk had submitted photographs to Planning Compliance. They were in communication with the owner and their investigations were ongoing. There had been an agreement that the storage of vehicles that were not incidental to agricultural, staff or those used regularly by the homeowner and family that reside at the property would be removed from the site but they had yet to receive a timescale when this would be carried out. They would contact the PC further in due course.
- c.** Concerns that an agricultural building on Long Lane is being used as a garage. Planning Enforcement, Case Ref 22/01064/UCU3. Following the last meeting, the Clerk had submitted a photograph showing the car ramp. Planning Compliance officers had visited the site but could not conclusively tell whether the use was not incidental to agricultural, and their investigation remained on going with communication from the owner. That aside, they had concerns that the agricultural building had not been built in accordance with the approved plans reference 19/07443/FU and had advised the owner a new planning application would be required. They would contact the PC further in due course.
- d.** The Committee considered tree works on Scholes Lodge Lane and down Taylor Lane. Protected trees down Taylor Lane had been cut down and urgent contact was made with the Leeds City Council tree officer and with Planning Compliance who had been to the site and stopped further work being carried out. The Clerk would get an update on this. It was also noted that two beech trees on Scholes Lodge Lane which overhang the public right of way had also been cut.

6. DATE OF NEXT MEETINGS

The normal pattern of meetings would put the next meeting in the Christmas holiday period and it was decided that as the PC meeting was a week later than normal (due to the New Year bank holiday) it would be possible to have a meeting on Wednesday 4th January. This would still be 6:30pm. It would be held in Scholes and the Clerk would make enquiries regarding the availability of the Church Hall.

The meeting closed at 7:35pm

Signed

Chair
4th January 2023