

Chair: Christine Thornton, 40 Cross Flatts Avenue, Beeston, Leeds, LS11 7BG. Tel 0113 270 0875

Secretary: Mr Robert Winfield, 7 Allenby Gardens, Beeston, Leeds, LS11 5RW. Tel 0777 379 7820

E mail robert.winfield1@ntlworld.com Forum Website- www.beestonforum.btck.co.uk

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BEESTON COMMUNITY FORUM

Martin Sellens Esq
Director of Planning Services
Leeds City Council
by e mail

3rd December 2015

Dear Mr Sellens

PLANNING APPLICATION REFERENCE 14/06007/FU- PROPOSED REDEVELOPMENT OF
FORMER ICE PACKING FACTORY AT 49 BARKLY ROAD, LEEDS, LS11 7EW

I have been requested by a General Meeting of the Beeston Community Forum to write to you in connection with the above mentioned planning application.. We note that Aspiring Communities, the applicant, has appealed to the Planning Inspectorate on the grounds of non- determination. We are aware that this means that the application will be determined by the Planning Inspectorate, in a manner which they will decide, rather than by Leeds City Council. We understand , nevertheless , that the application will be discussed by a Plans Panel meeting, to determine the position taken by Leeds City Council in the determination of the application by the Planning Inspectorate .

We very strongly urge Leeds City Council to maintain its opposition to the application, as expressed in the Officers Report prepared for the Plans Panel meeting on 6th August 2014, which was expected to determine the application, which was later withdrawn from consideration by that meeting. We continue to believe that there are solid planning grounds for rejecting this application , as expressed in our letters of 1st December 2014 and 12th July 2015, together with representations from other objectors. We continue to believe that this proposed development is neither wanted nor needed by local residents, and that there is an attempt by outsiders to impose this development on the area

We find the appeal by the applicants on the grounds of non-determination astonishing. We believe

that the fact that the application has not been determined is almost entirely due to the failure of the applicant to answer a number of reasonable questions raised by Leeds City Council . As you will be aware, the Development Department took the initiative to extend the deadline for the determination of the application from 12th January 2015 to 1st April 2015, then again to 31st May 2015 in order to enable the applicant to answer a number of important questions, but answers to many of these questions remained outstanding We believe that Leeds City Council would have been fully justified in taking the application to a plans panel meeting, and seeking the rejection of the application on the grounds of lack of information.

There is substantial evidence of the applicant's failure to answer questions , as set out below:-

I) The Planning Department's letter of 16th October 2014 to Zareen Rahman, Aspiring Communities' Architect requested responses to six specific points

- 1) please provide a plan showing existing and proposed levels (all to be shown on the same plan for ease of comparison) in those areas where levels are proposed to change. The plan also needs to include spot levels off-site, particularly to the rear of the building, to allow comparison.
- 2) Sections through th site from front to back, across the site from side to side are required, as well as a section through the building showing all floors including the basement.
- 3 An elevational drawing is required showing the proposed building and neighbouring properties.
- 4) please clarify the proposed se of the basement below the sports hall and ground floor circulation/equipment store area. It is not clear if these are to be dug out and what, if anything, they are proposed to be used for if so. Sections through the building showing these basement areas would be helpful.
- 5) On plans PL-03 and PL-04 there are windows missing from the rear circulation core which are shown on the corresponding elevation drawings. Please amend these to show the windows.
- 6) Some of the floor plan and elevation drawings have been labelled as both propose d and existing and proposed. Please re-label the plans as it could cause confusion for members of the public

ii) Phil Crabtree's e mail of 18th December 2014 to Zareen Rahman states that 'At this stage, despite the lengthy discussions you refer to, we still do not consider that the information you have submitted to date provides sufficient clarity to allow this assessment to be made, as I identified in the requests for further information which have been raised by Jill and colleagues in highways.

iii) Jillian Rann's letter of 12th January 2014 to Zoreen Rahman refers to a number of matters which were still outstanding, including highways and design issues, information relating to the proposed underground car park , and the sequential test. She proposed an extension to the deadline for the determination of the planning application to 1st April 2014

iv) Leeds City Council then extended the deadline for the determination of the planning application from 1st April 2014 to 31st May 2014 to allow the applicants further time to submit revised plans and allow a sequential test to be made (as explained in iii) above this sequential test had been identified as outstanding on 12th January

- v) An e mail of from Andrew Dmoch of Leeds City Council (12th February) refers to the 'significant risk' that worshippers at Friday Prayers will exceed 250 and that no mechanism had been identified in planning terms that would address the situation if 400 worshippers arrive , with many arriving by car
- vi) An e mail dated 9th February from Andrew Dmoch to the developer states that 'your assertion of how the 400 worshipper limit was derived does not accord with my understanding, having gone through the previous application documents and correspondence'
- vii) An email dated 27th March 2015 from Ian Cyhanko to Zareen Rahman states that 'we are still awaiting the submission of the sequential test and revised and additional plans which address the issues raised at a meeting you had before Christmas'
- viii) A letter from Ian Cyhanko to Chris Weetman identifies number of outstanding issues including highways, the travel plan, design and underground car parking. The letter also refers to reservations about using planning conditions to restrict uses and occupancy of the building
- ix) An e mail from Steven Butler of Leeds City Council to Chris Weetman (15th June) states that 'I consider from the outset that there has been a lack of clarity from the applicants as to how this proposal will operate'

Your letter of 28th October to Chris Weetman makes a number of points; notably:-

1. *"what is clearly needed is clarity about the proposed use, how it will be brought about and what the benefits and impact will be on the local community".*
2. *"What is not so clear to me is who this centre is for and where people will be drawn from to use it".*
3. *"it is also clear that groups from outside the local area and across the city have been engaged"*
4. *"do you have any calculation as to the likely volume and the number of lorry movements needed to remove excess materials from site?"*

The applicant has, of course chosen to appeal to the Planning Inspectorate, rather than answering the outstanding questions. As stated above, we feel that the applicant, not Leeds City Council, is wholly to blame for the planning application not having been determined. We hope that Leeds City Council will maintain its opposition to the application (as expressed in the previous officers report) in its representations to the Planning Inspectorate . We trust that our representations will be considered by the Plans Panel at its meeting on 10th December. The Forum will be represented at the Plans Panel and will , of course be making representations to the Planning Inspectorate.

Whilst writing, I have been asked to clarify two important matters:-

- a) Will there be a revised officers report, in advance of the Plans Panel meeting on 10th December and when will it be issued ?
- b) We note that Aspiring Communities grounds for making the appeal do not appear to have been published on Public Access. Do you have this information?

We look forward to hearing your comments

Yours sincerely

ROBERT J.W. WINFIELD