



PLANS PANEL (WEST)

Meeting to be held in on
Thursday, 1st October, 2009
at 1.30 pm

MEMBERSHIP

Councillors

M Coulson
J Harper
N Taggart
L Yeadon

C Campbell
(Chair)
B Chastney
J Matthews

S Andrew
A Castle

T Leadley

A G E N D A

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|---------|------|---------------|--|---------|
| 1 | | | <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p> | |
| 2 | | | <p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> | |

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| 3 | | | <p>LATE ITEMS</p> <p>To identify items which may have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes)</p> | |
| 4 | | | <p>DECLARATIONS OF INTEREST</p> <p>To declare any personal/prejudicial interest for the purpose of Section 81 (3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct</p> | |
| 5 | | | <p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence</p> | |
| 6 | | | <p>MINUTES</p> <p>To confirm the minutes of the previous meeting held 3rd September 2009 as a correct record</p> <p>(Copy attached)</p> | 9 - 20 |
| 7 | Headingley; Hyde Park and Woodhouse; | | <p>RESIDENTIAL DEVELOPMENT AT LEEDS GIRLS HIGH SCHOOL, HEADINGLEY</p> <p>To consider the report of the Chief Planning Officer setting out the current position with regards to redevelopment proposals for the site of Leeds Girls High School, Headingley.</p> <p>(Report attached)</p> | 21 - 54 |

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| 8 | Calverley and Farsley; | | <p>APPLICATION 09/03049/FU - PART TWO STOREY, PART SINGLE STOREY SIDE AND REAR EXTENSION, TWO STOREY SIDE EXTENSION TO OTHER SIDE AND SINGLE STOREY FRONT EXTENSION TO 64 WOODHALL LANE, PUDSEY, LEEDS LS28 5NY</p> <p>To consider the report of the Chief Planning Officer on proposals to extend an existing property at 64 Woodhall Lane, Pudsey</p> <p>(Report attached)</p> | 55 - 62 |
| 9 | Kirkstall; | | <p>APPLICATION 09/03738/FU - TWO STOREY SIDE EXTENSION INCORPORATING THE FORMATION OF BASEMENT STORAGE AREA AND RAISED BALCONY TO REAR AT 123 ARGIE AVENUE, BURLEY, LEEDS LS4 2TG</p> <p>To consider the report of the Chief Planning Officer on proposals to extend the property at 123 Argie Avenue, Burley</p> <p>(Report attached)</p> | 63 - 70 |
| 10 | Headingley; | | <p>APPLICATION 09/02308/FU - CHANGE OF USE OF FORMER RESIDENTIAL HOME TO 12 BEDROOM HOUSE IN MULTIPLE OCCUPATION, WITH 3 PARKING SPACES, CYCLE AND BIN STORE, 88 VICTORIA ROAD, HEADINGLEY, LEEDS LS6 1DL</p> <p>To consider the report of the Chief Planning Officer setting out proposed reasons to refuse the application for the change of use of a former residential home to a House in Multiple Occupation. This application was previously considered by Panel on 3rd September 2009.</p> <p>(Report attached)</p> | 71 - 74 |

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| 11 | Headingley; | | <p>APPLICATION 09/02126/FU - CHANGE OF USE OF FORMER RESIDENTIAL HOME TO ONE 8 BEDROOM HOUSE IN MULTIPLE OCCUPATION AND ONE 4 BEDROOM HOUSE, WITH 3 PARKING SPACES, CYCLE AND BIN STORE AT 88 VICTORIA ROAD, HEADINGLEY, LEEDS LS6 1DL</p> <p>To consider the report of the Chief Planning Officer on proposals for the change of use of a former residential home to create one House in Multiple Occupation and one 4 bedroom house.</p> <p>(Report attached)</p> | 75 - 80 |
| 12 | Guiseley and Rawdon; Horsforth; Otley and Yeadon; | | <p>APPLICATION 08/06944/FU - TWO STOREY EXTENSION TO MAIN AIRPORT TERMINAL BUILDING TO PROVIDE NEW ENTRANCE, IMPROVED INTERNAL FACILITIES AND ASSOCIATED LANDSCAPING WORKS TO THE TERMINAL BUILDING FORECOURT AT LEEDS AND BRADFORD AIRPORT, WHITEHOUSE LANE, YEADON, LEEDS LS19 7TU</p> <p>To consider the report of the Chief Planning Officer on the redevelopment proposals for Leeds Bradford Airport</p> <p>(Report attached)</p> | 81 - 86 |
| 13 | | | <p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Thursday 29th October 2009 at 1.30 pm</p> | |

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Chief Executive's Department
Democratic Services
4th Floor West
Civic Hall
Leeds LS1 1UR

To:

Members of Plans Panel (West)
Plus appropriate Ward Members and
Parish/Town Councils

Contact: Helen Gray
Tel: 0113 247 4355
Fax: 0113 395 1599
helen.gray@leeds.gov.uk
Your reference:
Our reference: ppw/sitevisit/
23 September 2009

Dear Councillor

PLANS PANEL (WEST) – SITE VISITS – THURSDAY 1ST OCTOBER 2009 AT 1.30 pm

Prior to the next meeting of Plans Panel West there will be site visits in respect of the following;

- 1 10.10 am Application 09/03049 – Proposed extensions to 64 Woodhall Lane, Pudsey (Pudsey ward)
 - 2 10.45 am Residential, office and leisure proposals at Garnetts Paper Mill, Otley - Pre Application presentation (Otley & Yeadon ward)
 - 3 11.35 am Applications 08/04214, 08/04216, 08/04217, 08/04219, 08/04220, 08/04218 – Residential Development at Leeds Girls High School (Headingley ward)
- 12.15pm Return to the Civic Hall

A minibus will leave the Civic Hall at 9.50 am prompt.

Please contact Steve Butler, Area Planning Manager (West), 224 3421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.45 am

Yours sincerely

Helen Gray
Governance Officer



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Report of the Chief Planning Officer

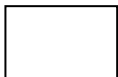
PLANS PANEL WEST

Date: 1st October 2009

**Subject: PRE-APPLICATION PRESENTATION MEMBER BRIEFING NOTE :
Reserved Matters submission for Garnetts Paper Mill site (08/02079/OT). Laying out
and erection of dwellings, apartments, retirement home, offices, leisure use, car
parking, greenspace and public space, access roads and landscaping.**

Electoral Wards Affected:

OTLEY



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

INTRODUCTION

This pre-application presentation relates to the redevelopment of the former Garnetts Paper Mill. The developers are preparing to submit a Reserved Matters planning application and a separate application to address the remediation of the site. The applicants are aiming to submit their planning applications by early October 2009 which is a contractual obligation of the owner of the site upon the developer. The applicants have begun preparing a detailed masterplan for the site. Officers have met the applicant's development team once to discuss the masterplan and layout arrangements of the site. In addition the applicants have begun their community consultation programme by holding a public exhibition for the public in Otley.

The redevelopment of this site in Otley represents a major, exciting opportunity to influence the character of this central part of Otley.

The aspiration for this site is to deliver a very high quality, innovative and sustainable mixed use scheme on this large site on the edge of Otley town centre that creates an attractive urban extension maximizing the natural benefits of a waterside location, adjacent to the Otley Conservation Area and retains links to the historic context of the former industrial character of the site. The scheme is located in and adjacent to areas of high flood risk and mitigation and management of this issue is also integral to the design concept.

Officer's note the contractual obligations placed on the developers to submit an early planning application but have raised concerns relating to the lack of pre-application

discussions and workshops that have taken place to date. Officers have just received a detailed layout plan masterplan including indicative elevations and details. The content of which will be reviewed in the build up to Panel on the 1st October 2009.

1) SITE DESCRIPTION

The site is that of Garnetts paper manufacturers on the riverside at Otley. The site as a whole extends to an area of 6.1 hectares. The main buildings and active part of the complex is concentrated towards the western end of the site and along the riverside. Access to the site is taken from this end along Mill Lane ie: along the rivers edge from Bridge St. The more eastern parts are open areas of former landfill area and flood plain land.

The site is subject to Outline planning permission granted first in 2006 and then again in 2008 when a variation of condition application was approved relating to the original Outline planning permission.

29/267/05 – O/a for access, residential, offices, pub, hotel , retirement complex and surgery. Approved 14 Nov 06.

The Outline planning permission expires in November 2009.

2) THE PROPOSAL

The overall proposal is for the redevelopment of the Garnetts paper mill site at Otley as contained within the masterplan layout approved as part of the Outline planning permission. The pre-application proposal will form the basis of the Reserved Matters application to be submitted. The proposed uses in the Outline approval relate to residential, retirement complex, restaurant/pub, hotel, offices nursery and surgery. The Uses approved have the following area based maximums attached:

- Commercial uses (office, hotel and restaurant) 0.77 ha
- Residential (apartments and housing) 3.20 Ha
- Retirement and residential care units 0.78Ha
- Car Park 0.22Ha
- Nursery and Surgery 0.08 Ha
- Open Space 5.0 Ha

The above bullet point show what areas of the site can be developed for each Use.

The applicants however, are now looking at the following breakdown of Uses across the site:

- Residential development including a mixture of apartments and houses (approx. 200)
- Restaurant / Bar
- Retirement Complex
- Office units
- Public Car Park

A new access road is proposed to the main part of the site from Pool Road with the junction at the eastern end of the Cemetery with only the immediate riverside uses accessed from the existing mill access point at the end of Mill Lane of this former paper mill site. The applicants will be submitting a separate planning application to address remediation. Approval was given for remediation of the site in 2006 however, this consent has now expired. The particular area of the site which is heavily contaminated and requires extensive extraction

and remediation is the area of land beyond the industrial buildings to the rear of the site which was used as a waste paper storage area during the operation of the paper mill.

3) OFFICER IDENTIFIED ISSUES

Detailed materplan—design /creation of new place on the riverside

- Officers have only seen an initial proposed layout.
- The initial masterplan seen by officers was discussed at an internal Design Review Panel. The layout shown required reviewing in the context of making the proposal work in terms of continuing the character and appearance of the wider Otley Conservation Area. Design Review noted the aspirations referred to above and supported the theme of creating a ‘destination’ at the riverside and enhancing the townscape of Otley through development of a type, scale and appearance that would sit comfortably as an urban extension to the town. When further information on the proposals is submitted by the developers this will be re-reviewed by the Design Review Panel to assist officers in the delivery of this major site in Otley.

The aspirations of the Outline planning permission included a desire to:

- ‘Opening up’ /development of the riverside area of Otley through improving views and connectivity and linkage with existing routes into the town centre and in the surrounding riverside walkways. This element is to enable the connection of the site with the wider town centre.
- Creating wider benefits for Otley town economy including the tourist trade
- Improving the Flooding issues both from within the site and preventing flooding in adjoining areas due to displacement of floodwaters both pluvial and fluvial flooding.

Landscape / Public Open Spaces linkages and connectivity

- Greenspace provision on and off site and pedestrian/cycle linkages to the town centre and the riverside in an overall landscape strategy is required.

Impact on neighbours and locality

- Direct impact of the scale, size and density on surrounding properties.

Highways

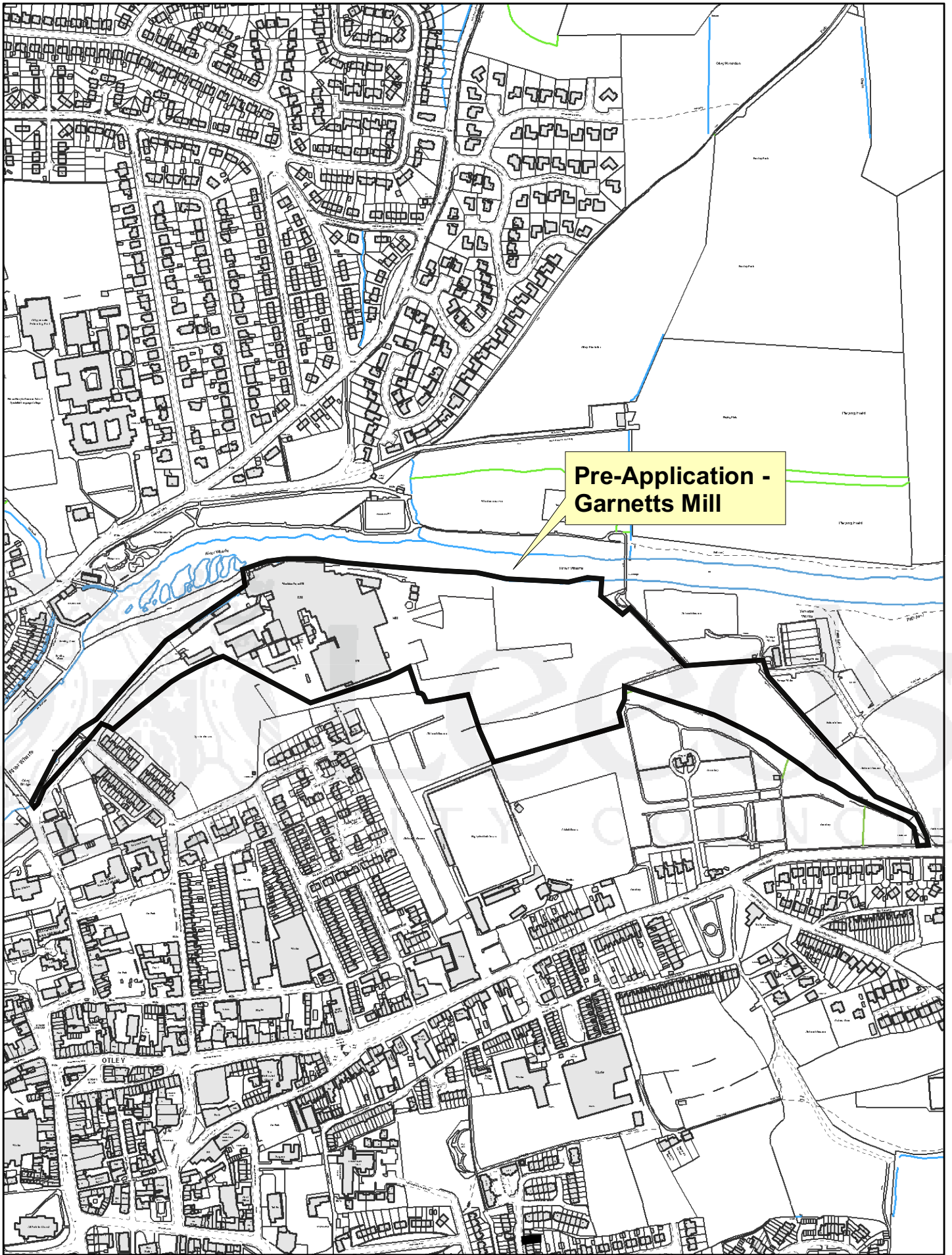
- The highways issues envisaged are the impact of additional residential and commercial traffic entering the site from Mill Lane and from Pool Road. The creation of a new road from Pool Road will not result in the creation of a new through route. The road will be designed to enable bus access but will be access will be restricted through physical measures such as a bus gate. On site car parking requirements for both the commercial uses and the residential units, bus options into the site and connectivity of the site to the surrounding areas. Mill Lane is located within an area of high flood risk as such discussion have began between the developer and officers as to the best solution for this road in terms of access and surfacing materials and levels.
- **Flooding**
The Environment Agency are currently reviewing and revising the flood risk map for this part of Otley as part of a wider review of the entire River Wharfe flood risk survey. The implications of the review of the River Wharfe by the EA will likely form part of the determination of the Reserve Matters applications and Members are advised that when the updated review is assessed by Officers the proposal at Garnetts will likely be assessed under this updated context.

Members are advised that the Outline planning permission was granted in co-

ordination with advice from the EA as such the developers could utilise the flood risk position from the time of the Outline planning permission being granted. There are conditions attached to the Outline planning permission that require flood risk management and mitigation to be considered at each stage of the development process. It is considered that the use of the most recent data that the EA possess should be explored. When this information is available officers will update Members of this position.

Planning Contributions

- S106 Heads of terms required including the following:
 - Affordable housing
 - Education
 - Green space, phasing and management, public accessibility to spaces and squares
 - Maintenance and management of the weir
 - Highway improvements, creation and enhancement of footpath and cycle linkage through Otley.
 - Travel Plans



**Pre-Application -
Garnetts Mill**

WEST PLANS PANEL



Scale 1 / 5500

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PLANS PANEL (WEST)

THURSDAY, 3RD SEPTEMBER, 2009

PRESENT: Councillor C Campbell in the Chair

Councillors S Andrew, A Castle,
B Chastney, M Coulson, J Harper,
T Leadley, J Matthews and L Yeadon

IN ATTENDANCE Councillor M Hamilton – Headingley ward
Councillor J Monaghan – Headingley ward

23 Late Items

There were no formal late items, however following the despatch of the agenda it had come to light that the wrong report for Item 10 (Leeds Bradford Airport) had been issued. The correct version had subsequently been despatched to the Panel and all parties prior to the meeting.

Members were also in receipt of an email from Friends of Earth in relation to Item 10 (Leeds Bradford Airport) submitted as representatives of the organisation were unable to attend this meeting.

Additionally an amended cover report for Item 9 (Wellbeing Centre) was tabled at the meeting.

24 Declarations of Interest

The following Members declared personal/prejudicial interests for the purposes of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct

Councillor Andrew – Application 09/02578/OT development of a Wellbeing Centre at former Ralph Thoresby High School and Application 08/06944/FU Leeds Bradford Airport – declared a personal interest in both as a member of WYITA Transport Plan Steering Group as officers of WYITA had commented on both applications (minutes 29 and 30 respectively refer)

Councillor Campbell – Application 08/06944/FU Leeds Bradford Airport – declared a personal interest as a member of the Airport Joint Consultative Committee and as a local authority appointed member of WYITA as officers of WYITA had commented on the proposals (minute 30 refers) and Application 09/02578/OT development of a Wellbeing Centre at former Ralph Thoresby High School site – declared a personal interest as he noted the NW Leeds Liberal Democrat Party office was within the vicinity of the development site (minute 29 refers)

Councillor Chastney – Application 09/02578/OT development of a Wellbeing Centre at former Ralph Thoresby High School site – declared a personal interest as he had previously attended some of the public consultation

sessions in his capacity as a ward councillor, but had not formed a view on the proposals (minute 29 refers)

Councillor Leadley – Application 09/02578/OT development of a Wellbeing Centre on the site of former Ralph Thoresby High School and Application 08/06944/FU Leeds Bradford Airport – declared a personal interest in both matters as a local authority appointed member of WYITA, as officers of WYITA had commented on the proposals (minutes 29 and 30 respectively refer)

Councillor Matthews – Application 08/06944/FU Leeds Bradford Airport – declared a personal interest as a member of Yorkshire Tourist Board (minute 30 refers) and Application 09/02578/OT development of a Wellbeing Centre at former Ralph Thoresby High School site – declared a personal interest as he worked from the office of Mr G Mulholland MP within the Holt Park District Centre which was adjacent to the development site (minute 29 refers)

Councillor Yeadon - Application 08/06944/FU Leeds Bradford Airport – declared a personal interest as she had previously attended discussions on the future of the airport when she had lived in the local area. (minute 30 refers)

It should be noted that Councillors Andrew, Castle and Coulson reported their intention not to take part in the decision making process for Application 08/06944/FU Leeds Bradford Airport as they had not attended the previous 2 Panel meetings where the application was discussed

25 Apologies for Absence

Apologies for absence were received from Councillor Taggart

26 Minutes

The minutes of the meetings held 23rd July and 6 August 2009 were submitted for approval.

23rd July 2009 Minute 13 Leeds Bradford Airport.

Members commented on the need to ensure both hard and soft landscaping works were undertaken and completed appropriately during the development programme as these were integral to the design and further discussed the wording of paragraph 4 of the Section 106 Agreement regarding the trigger for the release of funding for bus services/highways measures.

The Panel went onto make the following amendments:

“assistance button” – to reword to “He noted the difficulty encountered during his demonstration of the “assistance button” to Members on the site visit and reported this had been addressed.”

Forecourt – to amend to read “Members sought to address this concern by requesting a management plan for the drop-off area be submitted and agreed in writing by the *LPA after Panel consideration*”.

Amended Condition 12 Waste Management Plan – to read “No development approved by this planning permission shall be commenced until an Airport Waste Management Plan, which demonstrates how any waste produced by the proposed development and all waste products produced at the airport are dealt with and includes proposals for reduction, reuse and recycling, has been submitted to and approved in writing by the Local Planning Authority. The plan shall then be implemented as approved.

To manage any waste that is produced by the proposed development and at the Airport.

Members indicated that the Airport and its subcontractors should meet the recycling rates currently attained by LCC 38% (2009) rising to 50% by 2020.”

MATTERS TO BE INCLUDED WITHIN THE SECTION 106 AGREEMENT

To amend No 9 to read:

9. To *agree to fund* the following:-

- The cost of undertaking the annual forecourt survey;
- The cost of travel plan monitoring in accordance with the Council’s supplementary planning document;
- The cost of equipment to monitor traffic accessing LBIA;

RESOLVED –

- a) That subject to the amendments outlined above, the minutes of the meeting held 23rd July 2009 be agreed as a correct record
- b) That the minutes of the meeting held 6 August 2009 be agreed as a correct record

27 Application 09/02308/FU - Change of Use of former Residential Home to 12 Bedroom House in Multiple Occupation, with 3 parking spaces, cycle and bin store at 88 Victoria Road, Headingley, Leeds LS6 1DL

The Chief Planning Officer submitted a report setting out proposals for the change of use of a former residential home to a House in Multiple Occupation. Members had visited the site prior to the meeting. Plans and photographs of the site were displayed at the meeting. Members also viewed slides showing the plans of the internal layout associated with the previous use and the proposed internal layout for comparison.

The Panel noted the property lay within Headingley Conservation Area and was regarded as an important building in the area, the front garden being a particularly attractive element. It was also noted that the proposed HMO was likely to be occupied by student residents and as such the Panel had regard to policy H15 (Area of Housing Mix) during their deliberations.

It was reported the only external alterations required would be to change one door to a window and to re-instate the red brick/stone coping boundary wall. Officers expressed some concern over the location and screening of the

proposed bin/cycle store area and reported the relevant Condition would be revisited to ensure the best possible solution.

Officers considered the building was well segregated from neighbouring residential properties and would be suitable for student residents with submission of an appropriate management plan for that purpose. A key objective was the retention and future use of the building and it was not felt this building could easily revert to family dwelling use. The use of the whole property as a HMO, without subdivision, was felt to be an appropriate re-use.

Members noted receipt of objections from local ward Councillors Hamilton and Monaghan.

The Panel heard representation from Dr R Tyler, Leeds HMO who stated the property was already occupied and tabled a map showing the concentration of student residences in the Headingley HMO area. The Panel then considered the representations made by Mr T Cook (agent) and Mr T Parks (architect) for the applicant. Mr Cook stated the previous care home use was regarded as a commercial enterprise and this change of use to HMO would not affect general residential supply in policy terms. The applicant did not attend the meeting.

Members considered the following issues:

- The evidence found on site that the property was already in use as a dwelling and concern that officers had not recently been able to gain access to the building and had no knowledge that the building was already in use
- Whether 12 extra students would have an adverse impact on the availability of family housing and neighbouring properties in the locality
- The reported numbers of vacant existing student properties and the shortage of family housing in Leeds and whether the property would be suitable for sub-division into "town houses" having regard to the wider context of the Conservation Area.
- Noted the applicant had made a dual change of use application to create one 8 bed dwelling and one 4 bed dwelling and commented on the lack of amenity associated to the 4 bed proposal.
- The impact of creating "apartments" which would have different expectations in terms of car parking provision and use.
- Whether the 3 proposed spaces were sufficient and the possibility of creating one further undercroft car parking space beneath the extension

Members expressed the view that this was a retrospective application and contrary to Policy H15 although they acknowledged the need to balance that with the desire to preserve the building as a whole within the Conservation Area. The Panel was also concerned that the applicant's representatives could not adequately address their comments. Members noted the recommendation to approve the application required some conditions to be agreed in writing prior to occupation and felt the applicant clearly could not now comply with this.

Draft minutes to be approved at the meeting
to be held on Thursday, 1st October, 2009

Members noted the officer recommendation to approve the application subject to conditions, but were not minded to do so and

RESOLVED – That the application be refused and a report be brought to the next Panel meeting setting out detailed reasons for refusal based on the Panel's concerns

28 Application 07/00793/FU - 4 Bedroom Detached House to side garden of existing detached house and alterations involving widening of access to driveway to Arthington Lane and provision of a footpath link at Whitegates, Arthington Lane, Pool in Wharfedale

Officers presented proposals for the development of a 4 bedroom detached dwelling to the side garden of "Whitegates". Members had previously visited the site.

Members were aware that approval of the scheme had been deferred and delegated by Panel on 3rd January 2008 to the Chief Planning Officer subject to certain matters being addressed. The application was re-presented to Panel because the applicant had not been able to resolve the requirement for two way vehicle passing at the site entrance. The applicant now sought the Panels' permission to commence works without widening of the drive at the access point. If this was not possible it was likely the applicant would re-submit the earlier application which had proposed the removal of the tree at the junction.

Officers reported the applicant intended to provide a new footpath link from Arthington Lane to the new residential development adjoining the site and had offered to fund traffic calming works in the vicinity of this application to help address the access issue.

Officers reported their opinion that the access point was sub-standard and required widening as mitigation methods would not succeed on that part of Arthington Lane. Condition 2 required the widening prior to commencement of the works. 2 additional conditions were also requested to protect the tree during the development works and to secure the levels.

Officers also reported that Condition 6 relating to Permitted Development rights needed to be re-assessed against the recently revised Permitted Development rights.

The Panel heard representation from Mr Walton the applicant who explained his negotiations with the adjacent landowner over the widening scheme and the planning history of the site in respect of the adjacent Bryant Homes development. He stated the widening of the access point had been a requirement of Bryant Homes, but this had not been implemented by them.

RESOLVED – That the application be granted subject to

- a) the specified conditions contained within the report
- b) an amendment to the description of the development to omit reference to tree removal and passing places

- c) two additional conditions to cover levels and ensure the tree is protected during development works
- d) clarification of Condition 6 in respect of Permitted Development rights

29 Application 09/02578/OT - Outline Application for a "Wellbeing Centre" for Leisure and Fitness Centre and Health Facilities on the site of the Former Ralph Thoresby High School, Farrar Lane, Adel

Further to minute 19 of the meeting held 3rd August 2009 when Panel received a position statement on the application, the Chief Planning Officer submitted a further report setting out the details of the full application to develop a "Well Being Centre" on the site of the former Ralph Thoresby High School.

Members noted the scheme formed part of a Wellbeing Centre Private Finance Initiative (PFI) which required the allocation of credits for this scheme by end of September 2009.

Photographs and plans of the site, including an indicative plan showing the site access, car park and footpath link through to the Holt Park Centre and new Ralph Thoresby School were displayed at the meeting although the Panel were aware that the only matter for determination was the access point.

Officers tabled an amended report front sheet at the meeting which contained a revised recommendation for the Panel to consider as this application was a departure from the Development Plan. Officers also explained that the Primary Care Trust had withdrawn from the scheme, and a PCT facility would no longer be included within the proposed new building. It was likely the PCT would retain the existing the Health Centre on the edge of the site for the foreseeable future. The withdrawal would lead to a reduced floor space requirement and alter the indicative internal layout as shown at the meeting.

Officers addressed the following matters which had previously been highlighted by Members for further consideration:

- Service delivery access – the route had a low anticipated level of use as it would only serve the Sports Hall. The Reserved Matters application would detail the access and provide an opportunity to condition hours of use if necessary
- Regeneration – architects indicative drawings of the regeneration proposals for the whole of Holt Park were displayed at the meeting
- Landscaping – Officers would seek to ensure appropriate and good quality landscaping through the Reserved Matters application. Areas created by demolition required comprehensive conditions to ensure proper management and landscaping.

Subject to approval of this outline application, the reserved matters application was expected in January 2010.

The Panel heard representation from Mr A Procter who expressed local residents' frustration at the ongoing amendments to the plans and concerns relating to car parking and impact on greenspace provision. The Panel discussed the following:

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to be held on Thursday, 1st October, 2009

- the PCT withdrawal and the impact this may have on the overall regeneration of the area
- concern the service road crosses a pedestrian desire line
- whether this revised scheme, without the PCT, would still be eligible for the PFI credits.

In response Members heard from Mr M Morgan, LCC Public Private Partnership Unit, who confirmed the Department of Health was aware the scheme had been revised and had been informally supportive so far. He reported the scheme was designed to make use of PFI credits associated with adult social care and the intended use of the building would still meet those criteria.

The Panel expressed their own frustration that although public consultation had been undertaken in May 2009, the outline application had not been presented until now when a decision had to be made in order for the scheme to still be eligible for credits. Members requested a more detailed plan of the regeneration proposals for the whole of Holt Park be presented with the Reserved Matters application and indicated an early pre-application presentation would be welcomed. Members addressed the principle of the development on the site and

RESOLVED – That the application be deferred and delegated to the Chief Planning Officer for final approval subject to the recommended conditions and following any referral required to the Secretary of State as a Departure from the Development Plan, and subject to the Secretary of State not calling in the application for determination

(Under the requirements of Council Procedure Rule 16.5 Councillor Leadley requested that his vote against this matter be recorded and Councillor Matthews requested his abstention be recorded)

30 Application 08/06944/FU - Outstanding matters and Update Report on Two Storey extension to main Airport Terminal Building to provide new entrance, improved internal facilities and associated landscaping works to the terminal building forecourt, Leeds & Bradford Airport, Whitehouse Lane, Yeadon, Leeds LS19 7TU

Further to minute 13 of the meeting held on 23rd July 2009 the Chief Planning Officer submitted a report on four matters the Panel had requested to consider further:

- (1) the Terms of Reference of the Steering Group
- (2) the use of the £50,000 originally proposed to support the York bus service
- (3) the number of times the trigger should be breached before monies are paid in the section 106 agreement and
- (4) the wording and details of a Travel Plan condition

Officers reported receipt of further letters of representation from Mr J Rae of Friends of the Earth; Mr Q Cooper of Leeds Taxi Association and Mr G Mulholland MP on behalf a constituent. A further 22 letters of support and 250 letter of objection had been received since the July meeting.

Officers provided the Panel with the following information:

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to be held on Thursday, 1st October, 2009

Steering Group – A technical group, chaired by an LCC officer, with a remit to monitor airport activity and impact; and assess what action may be required and recommend how Section 106 monies should be spent. Decisions on funding rested with LCC Chief Planning Officer. Outcomes will be reported to the Airport Transport Forum and Plans Panel West. Officers reported that decisions should be made by consensus with no voting.

Officers reported the concerns voiced by Friends of the Earth that the SG would take power away from the Airport Transport Forum. It was officers' opinion that the two groups had different remits, would need to be aware of each other and could compliment each other.

York Bus – the intended £50k would be a one off payment, however as the route had been discontinued LBIA proposed to add the £50k to the £425K proposed for the longer term mitigation works. LCC wished to add the £50k to the short term support prior to the 3.8 mppa being reached.

Trigger – LBIA had now offered the figure of 33 as the trigger point with 6 monitoring points established around the site. Members had been unhappy at the original trigger "figure of 44" as the number of times the morning/evening traffic peak flows were breached in order to release funding. The 2000 space car parking permission granted in 2005 made adequate mitigation for traffic impact up to 3.8 mppa. At that time the traffic peak flows had been predicted as: – 831 (8 until 9 am) 1332 (5 until 6 pm)

The trigger figure of 33 would mean that funding was released on the following occasions:

| morning | evening | |
|---------------|---------------|------------------|
| 33 (over 831) | 0 (over 1332) | funding released |
| 0 | 33 | funding released |

But no funding would be released if there were 32 occasions when both morning and evening peak flows of 831 and 1332 were achieved.

Officers reported an amendment to paragraphs 4.3 and 7.2 to read
4.3 ".LBIA have tabled an alternative proposal that the financial contributions should be triggered when the "peak" traffic flows are exceeded on 33 occasions in either the am **OR** pm peak period"
7.2 ".the amended Highway Trigger for the payment of monies to 33 times on either the morning **OR** evening peak..."

Travel Plan – The Travel Plan would be scrutinised by the SG. Noting Members' previous view that the Plan should be more challenging, officers tabled the wording for a suggested new condition:
The Travel Plan submitted as part of this application with modal shift targets as specified for passengers travelling to and from the airport and for airport staff travelling to and from the airport together with methodology for carrying out surveys, acceptable response rates from staff and mechanisms for monitoring and review of targets and action plan, shall be approved in writing by the Local Planning Authority and implemented prior to the commencement

of the development hereby approved and in accordance with specified timescales.

Results from the monitoring of the travel plan targets shall be shared with the LPA annually and a review of the action plan, specifically indicating remedies proposed to address any shortfall against the specified targets for modal shift, shall be submitted to and agreed in writing by the LPA annually following the collection and review of this data, and in any case no later than three months from the date of the annual survey. The approved review of the action plan shall thereafter be implemented in accordance with the agreed details and in accordance with the approved timescales.

Officers also noted the need to monitor the results of the forecourt surveys and clarify the figures for staff and passengers

Other Updated Matters:

Condition 12 Waste Management Plan – amendments reported

Condition 13 BREEAM – amendments reported

Forecourt – A forecourt management condition was now proposed to cover pick up/drop off and waiting times

Private Hire Booking Office – LBIA had confirmed that ideally this would be within the terminal building when built and this was now conditioned in accordance with Members wishes in July

Disabled Groups Representative – it was felt the representative would be best placed on the Airport Transport Forum, rather than the technical Steering Group

Officers sought the Panels view on these issues. Members discussed each matter in turn.

Steering Group –

- Desire to see the SG outcomes PRIOR to their submission to the Chief Planning Officer and the Airport Transport Forum as Members wished to be able to make comment on and influence the outcomes prior to their determination by the CPO
- Desire to ensure the SG is chaired by an LCC Officer
- Noting the Panel did not have the right to veto a recommendation from the SG Members were assured that the CPO would be made aware of any comments on the recommendations from Panel. The decision of the CPO was final and would have to be adhered to by LBIA

Members therefore agreed the officer proposal regarding the Steering Group, with the proviso the Group was chaired by LCC and that the outcomes would be reported to Panel prior to submission to the CPO and Airport Transport Forum. Members requested a report back on what would happen if there was a conflict between what the CPO wanted to approve and the wishes of Panel.

York Bus

- Panel confirmed their wish to see the £50k allocated within the short term fund (i.e. prior to 3.8 mppa) and noted that consideration of the short term fund would lie with the SG

Trigger

- Members were unhappy with new trigger of 33 as they felt this would allow 33 occasions when the target figure would be breached which they felt to be unacceptable.
- A trigger figure of 33 could allow 64 incidents of high traffic volume when no funding would be released for mitigation works
- Members stated the trigger incidents should be an exceptional circumstance, not a normal occurrence and advocated a lower figure.
- Some Members advocated a trigger figure of 0.
- Officers advised the 2005 permission had not placed any restrictions on the airport. Part of this 2009 application was to encourage LBIA towards the modal split, and without a trigger there would be no encouragement to reduce car usage because all payment would be linked to reaching 3.8 mppa.
- Members commented that some events would be out of LBIA control – such as heavy traffic associated with music festivals or the likely increase in passengers and traffic associated with the 2012 Olympics.
- The Panel considered the feasibility of dealing with the trigger as they did night flights (a report is presented when night flights have been undertaken with the reasons) as LBIA could report back on exceptional airport related traffic circumstances when the peak had been breached. Members stated that emergencies such as re-routed flights would be accepted in mitigation

(Councillor Coulson left the meeting at this point)

The Panel then heard from **Mr Lapworth** from Leeds Bradford airport who responded to the comments made so far on the “trigger. He stated the 831 and 1332 figures were not peaks, and the traffic network was not at gridlock. These were figures LBIA knew they could achieve when at 3.8 mppa and had been referred to in the car park planning application.

The Panel considered the opposing views as to whether the figures were peak or normal figures, but emphasised that either way, these figures had been recorded in the summer months when the background network figures were lower and were being used to predict network use throughout the whole year.

Members noted among other things that the report did not indicate the level of use on the highway network overall. They felt they still did not have sufficient information to determine this element of the application.

Travel Plan

- Members did not feel the Plan as presented could achieve a reduction in the number of private car users.
- The Panel felt LBIA could influence the travel choices of LBIA staff and contractors and that it would be appropriate to include penalties in the Plan if the Airport did not achieve the targets.

- Members also considered the merits of amending the targets and referred to a Travel Plan associated with another large development which had set rigorous targets and included penalties for not achieving those targets. Members felt that any financial penalty incurred for failing to meet a target could be referred to the SG

Members agreed the following modal shift targets for airport company staff using other than single occupancy car:

Not less than 10% by end 2010

Not less than 20% by end 2011

Not less than 30% by end 2012

Not less than 20% using other than single occupancy car by end of 2012 for all other staff employed at the airport

Members requested the wording of the Travel Plan, to include how targets would be enforced, be presented to the next Panel meeting for approval

Other Updated Matters

Disabled Groups Representatives – The Panel suggested that 2 representatives should be co-opted to the Airport Transport Forum

Condition 12 – Agreed the wording

Condition 13 – Agreed the wording

Forecourt – Members requested that the forecourt management plan, including reference to the waiting time, be presented to the Panel for approval

Private Hire Booking Office – Members noted and agreed the wording, welcoming the re-siting of the booking office.

RESOLVED –

- a) Steering Group - Members therefore agreed the Terms of Reference of the Steering Group, with the proviso the Group was chaired by LCC and that the outcomes would be reported to Panel prior to submission to the CPO and Airport Transport Forum. Members requested further clarification of what would happen in the event of a difference of opinion between the wishes of Panel and the CPO.
- b) York Bus Service - Panel confirmed the £50k should be allocated within the short term fund and noted that consideration of the short term fund would lie with the SG
- c) The Trigger - Members did not feel they had sufficient information to deal with this element of the application and asked officers to bring a further report to the next meeting of the Panel.
- d) Travel Plan - Members requested the wording of the Travel Plan to deal with the enforcement of agreed targets be presented to the next Panel meeting for approval

31 Date and Time of Next Meeting

RESOLVED – To note the date and time of the next meeting as Thursday 1st October 2009 at 1.30 pm

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Originator: Tim Poupard

Tel: 01132475647

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 1 October 2009

Subject: RESIDENTIAL REDEVELOPMENT AT LEEDS GIRLS HIGH SCHOOL, HEADINGLEY.

| APPLICANT | DATE VALID | TARGET DATE |
|------------------------|-------------------|--------------------|
| The Morley House Trust | 11.07.2008 | 10.10.2008 |

Electoral Wards Affected:

**Headingley
Hyde Park & Woodhouse**

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

The position statement is intended to formally introduce the redevelopment proposals for the Leeds Girls High School in Headingley. The position statement will also outline the history of the site which lead to these applications being submitted.

Members are requested to note the contents and issues raised within this position statement.

Members are invited to comment in relation to the key issues of the principle of the development proposals, the impact on the Headingley Conservation Area and character and appearance of the area, highways, access and parking implications and developer contributions matters which are highlighted in the report.

Members are also requested to agree that the application (subject to amended plans and reports being received) now be subject to full re-consultation to a timescale agreed in consultation with Ward Members.

1.0 INTRODUCTION AND BACKGROUND:

- 1.1 This report summarises the present position regarding the planning application(s) submitted for residential redevelopment by Leeds Girls High School. It is provided to inform Members of the application and its content, the policy background, consultation and public responses to date and identify key issues and progress in dealing with the application.
- 1.2 In January 2004, the Governors of Leeds Girls High School (LGHS) and Leeds Grammar School (LGS) announced that the two schools were to merge to form 'The Grammar School at Leeds' (GSAL). The merger resulted in the relocation of all pupils 7 years and above and staff at LGHS to the current LGS site at Alwoodley Gates, Leeds.
- 1.3 In August 2006, the City Council resolved to grant full planning permission for alterations and extensions to the existing school buildings (30/618/05/FU) and associated highway works (06/00720/FU) in Alwoodley to enable this merger to take place.
- 1.4 As a consequence of the expansion of the Alwoodley Gates site, the current LGHS sites located on Victoria Road/Headingley Lane has become surplus to requirements. The school has vacated the sites in July 2008, and the land has been unoccupied, with the exception of Ford House which is being retained to provide accommodation for the Pre School for children under 7 years of age.
- 1.5 The school occupies four sites, comprising the main school site bordered by Headingley Lane and Victoria Road; Ford House and its garden/sports pitch on the north side of Victoria Road; the swimming pool and gym and hockey pitch on the south side of Victoria Road; and the Elinor Lupton on Headingley Lane/Richmond Road. With the exception of the Victoria Road site, all lie within the Headingley Conservation Area. The Main School site includes a Grade II listed building (Rose Court) and three of the sites (excluding the Elinor Lupton Centre) are allocated as protected playing pitches.
- 1.6 In this context, six applications have now been submitted with the aim of securing the principle of residential redevelopment on the LGHS Headingley sites. The development proposals relate to the all the LGHS sites in Headingley, with the exception of the Elinor Lupton Centre. The purpose of this report is to provide a briefing statement to Members and to highlight key issues as well as seeking general comments from Members prior to any formal consideration of these applications.

2.0 RELEVANT PLANNING HISTORY:

- 2.1 A draft Planning & Development Brief was prepared by GVA Grimley on behalf of the school (the Morley House Trust) in consultation with LCC. The aim of the brief was to help bring about a comprehensive approach to the re-use and redevelopment of the Main School site, Ford House Garden and Victoria Road site, as the basis for considering future planning applications. The Elinor Lupton Centre (Grade II listed building) was and is subject to separate negotiations, given the specific requirements for providing an alternative occupier for this building.
- 2.2 Following public consultation, the draft Development Brief was presented to Members of the Executive Board on 22 August 2007. Where it was resolved that the planning brief be withdrawn and the future of the school site be determined through

the planning process. Outside of the planning process the Council would facilitate further discussions on the future of the site should relevant parties request.

3.0 SITE AND SURROUNDINGS:

Main School Site:

- 3.1 The main school site is a 2.44 hectare site located off Headingley Lane. The site is triangular in shape with Headingley Lane to the north east, Victoria Road to the south and Headingley Business Park to the west.
- 3.2 The site is located in a predominantly residential area with densely populated areas directly to the north east, south and south west. To the west of the site is Headingley Business Park and to the south east, Hyde Park.
- 3.3 The main school building is a 3 - 4 story red brick building which has undergone a number of structural alterations and extensions to facilitate the continual growth of the school. The building is located on the north western part of the site facing Victoria Road to the south. Views of the building from Headingley Lane are obscured due to the topography and boundary treatment, whilst views from the south are interrupted by mature trees.
- 3.4 The site is also occupied by Rose Court and Rose Court Lodge, both listed buildings located to the eastern end of the site. Rose Court is set to the north eastern part of the site with landscaping to the front, whilst the Lodge is located in the south east corner of the site, adjacent to Victoria Road.
- 3.5 The site also includes amenity areas constituting open space and tennis courts to the front of the main school building and car parking to the south of the site. The site also includes a large variety of mature trees both within the site and on the boundaries.
- 3.6 The site currently has two main access points, from Victoria Road to the south east corner of the site, adjacent to the Lodge and one to the North West directly onto Headingley Lane.

Rose Court:

- 3.7 The application site is Rose Court, a Grade II Listed Building located within the Leeds Girls High School site off Headingley Lane. Rose Court is within the grounds of the school.
- 3.8 Rose Court is set to the north eastern part of the site with landscaping to the front. Rose Court is a villa built as large house in the 1840s in the formal classical tradition. The property has a garden front taking advantage of the steeply sloping site. The terrace to the front conceals a high basement with windows set into areas. The views from the terrace currently are of extensive car parks and hard surfaced tennis courts.
- 3.9 The property previously had a Victorian conservatory at the western end projecting forward of the main frontage. This has subsequently been replaced with a new extension erected in stone with classic columns as a portico to the north.

Victoria Road Site:

- 3.10 The application site covers an area of approximately 1.02 ha and is located to the south of Victoria Road. The site is bound to the east by the rear gardens of a number of terraced properties on Ash Grove, to the south by the Headingley Rise apartments, to the west by Back Chestnut Avenue and the rear gardens of the terraced properties on Chestnut Avenue and Chestnut Grove and to the North West by 63 Victoria Road.
- 3.11 The site is part of the larger Leeds Girls High School complex and comprises two distinct elements; the northern section of the site comprises a large swimming pool and sports hall which are both of modern construction. These buildings also include the swimming pool changing area and sports hall changing facilities. The southern section of the site is currently open space utilised as playing fields. It is on this where the main section of development is proposed.
- 3.12 The site is located in a predominantly residential area with densely populated areas directly to the east, south and west. To the north of the site is Headingley Business Park and to the north east, the main buildings of the Leeds Girls High school.
- 3.13 Current access to the site is from Victoria Road which lies opposite to the Headingley Business Park entrance, although there is an access opportunity off Chestnut Grove / Back Chestnut Avenue on the western site boundary.

4.0 PROPOSAL:

- 4.1 The redevelopment proposals for the site comprise of six separate planning application and these can be described as: -
- 4.2 Main school site, Leeds Girls High School, Headingley:
- 4.2.1 Planning application 08/04214/OT – outline application for residential development.
 - 4.2.2 Planning application 08/04216/FU – change of use and extension including part demolition of school building and stable block to 32 flats and 4 terrace houses.
 - 4.2.3 Planning application 08/04217/CA – conservation area application for the demolition of rear and side extensions to main school building, 2 villas to north west of site, lean-to to stable block and greenhouse and removal of 4 storage containers.
- 4.3 At Rose Court, Main School Site, Leeds Girls High School, Headingley:
- 4.3.1 Planning application 08/04219/FU – change of use involving alterations and extension of school building to 8 flats and 4 terrace houses.
 - 4.3.2 Planning application 08/04220/LI – listed building application including part demolition and extension to form 8 flats and 4 terrace houses.
- 4.4 At Victoria Road, Leeds Girls High School, Headingley:
- 4.4.1 Planning application 08/04218/OT – outline application for residential use at Leeds Girls High School, playing fields and sports centre.

Outline Residential Schemes:

- 4.5 Application 08/04214/OT seeks outline planning application for the redevelopment of the main school site for residential use, including the approval of access, layout and scale.
- 4.6 The original layout of the site shows three areas accessed from three separate points into the site. The north western part of the site is to be developed with rows of terraced townhouses with an access from the existing school entrances on both Headingley Lane and Victoria Road. The Headingley Lane access was to be utilised by a number of properties on the western boundary of the site with a larger proportion to be accessed from the south.
- 4.7 The south western corner of the site adjacent to Victoria Road is to be developed, again with terraced properties accessed from Victoria Road along the western boundary of the site. This area of development is to be separated from the Main School building and development to the north by a landscaped amenity area.
- 4.8 The other main area of development is a row of properties to be developed to the front of Rose Court with gardens facing Victoria Road. These properties were to be accessed from the existing school entrance.
- 4.9 Application 08/04218/OT seeks outline planning application for the redevelopment of the Victoria Road site for residential use, including the approval of access, layout and scale.
- 4.10 The layout of the site shows two areas accessed from a single point into the site. The northern part of the site is to be left as existing with swimming pool and sports hall including a large car parking area to the north east of the site (outside the 'red line' boundary). The access road sweeps right continuing north to south through the centre of the site until into a turning head at the southern end of the site.
- 4.11 The above outline applications are accompanied by an indicative layout plan showing the position of buildings to be proposed on the site, the access points and the areas of recreational open space. Indicative landscaping plans are also included and a design scheme for the approval of reserved matters included in the design and access statement. The applications include layout and an indicative split of the units, however the specific number of properties is not being identified at this stage to allow for flexibility for future developers of the site.

Main School Building:

- 4.12 Application 08/04216/FU seeks full planning permission for the conversion and extension of the Main School Building to form 32 dwellings and the conversion of the stable block to form 4 dwellings.
- 4.13 The stable block is to be converted in its current form to four dwellings and access was proposed from Headingley Lane. The main school building is to be converted to 28 dwellings and is to include an extension to the rear to create room for a further 4 dwellings, with access through the site to the south.

Rose Court:

- 4.14 Applications 08/04219/FU and 08/04220/LI seek full Planning Permission and Listed Building Consent for the conversion and extension of Rose Court to form 12

apartments. The application previously included a modern extension to be on the western elevation of Rose Court, itself a later addition to the original building.

Conservation Area Consent:

- 4.15 Application 08/04217/CA seeks Conservation Area Consent for the demolition of a number of buildings used by Leeds Girls High School on the main school site. These buildings include the later extensions to the main school building and potentially the arts and crafts style lodge on the North West corner of the site.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Fundamental to the development of the site is an assessment of the balance of any loss of protected playing pitches versus their relocation and betterment and on-site greenspace provision provided by the development as a whole. As such, the application proposals have provided an evaluation of the proposals within a PPG17 Assessment. This report has been under review since the submission of the applications and following recent amendments it is considered that the PPG17 assessment has addressed earlier shortcomings identified by the Council and Sport England and is a complete and comprehensive report that must now be fully reassessed and consulted upon.
- 5.2 Following original consultations, technical discussions have also been held with Council Officers and the School, looking at the detailed design and layout of the proposals and seeking revisions to address significant issues. The key Issues being discussed are:

Outline Residential Schemes:

- 5.3 The SW corner of the site: In previous correspondence, Council Officers had expressed concerns about the impact on trees and over dominant car parking in this area. The application proposals have be amended in relation to the design of this element and a revised scheme identifying these changes can now be re-assessed.
- 5.4 Vehicular access onto Headingley Lane: The Council have expressed a strong preference for this access to be closed to all but pedestrian and cycle traffic and that all vehicular access should be taken off Victoria Road. The application proposals have been amended to remove vehicular access at this point and alternative access proposed on Victoria Road. A revised scheme identifying these changes can now be re-assessed.
- 5.5 Central area of open space: A fundamental key to the success of the design of the scheme and to ensure that the Listed Buildings and character of the Conservation Area are preserved is the layout of the open space within the site. The application proposals have be amended in relation to the design of this element (increase the size of this area by realigning the central access spine road) and a revised scheme identifying these changes can now be re-assessed.

Main School Building:

- 5.6 Rear element of main school building: 'In principle' agreement had been reached regarding the demolition of the rear element of the main school building but there is concern about the design of any replacement building. The application proposals have be amended in relation to the design of this element (handing of the rear

elements to make a court yard) and a revised scheme identifying these changes can now be re-assessed.

Rose Court:

- 5.7 Proposal to build two houses on Rose Court Garden (NE corner of the site): The Council have consistently objected to this element. The application proposals have been amended to remove this element of new build. A revised scheme identifying these changes can now be re-assessed.
- 5.8 Vertical extension to western wing of Rose Court: The Council and English Heritage object to this proposal. These fundamental concerns has resulted in this element being removed and a revised scheme identifying these changes can now be re-assessed.
- 5.9 Numbers of units proposed in Rose Court: This is a Listed Building issue and stems from the potential loss of 6-panel mahogany double doors and excavation of lightwells. The application proposals include revisions to the design of this element with additional information to take into account these concerns and these changes can now be re-assessed.

Ford House Gardens:

- 5.10 In mitigation for the loss of the playing fields at the Main School Site and Victoria Road. The 'offer' to the Council of Ford House Gardens to form a new public park still stands. Transfer of this area would be contingent upon this transfer being at no cost to the Council and for agreement being reached for a commuted sum to be paid to improve the site for use as a public park and to cover future maintenance. This would need to be included within a S.106 Agreement, which would indicate the point at which in the development process such monies would be paid. Clarification is being sought from the School regarding the basis of such transfer and whether a commuted sum is also being offered to help pay for the site's improvement and future maintenance.

Sports Hall & Swimming Pool:

- 5.11 The application states that it is still the intent of the School to convey this facility to Leeds Met University. However, should this be successful, it has been agreed in principle that there would be a Community Access Agreement to facilitate public access at convenient times and at affordable prices.

Continuing discussions:

- 5.12 PPG17 Study: Previous PPG17 Assessments submitted with the application proposals were found to be unsatisfactory and not fit for purpose. Following original consultation with Sport England and the Council's Parks and Countryside Section, the Council has explained why the previous reports were not acceptable. The application proposals now include an addendum to the previous PPG17 Assessments (prepared by different consultants working on behalf of the school) in order to address the Council's and Sport England's concerns. The addendum has now been submitted addressing this fundamental issue relating to the principle of developing any part of the playing field areas. As stated in paragraph 5.1, this report needs fully reassessing and this matter must be resolved to the satisfaction of the Council and Sport England.

- 5.13 Development on the Victoria Road site: The question about whether development here is acceptable in principle planning terms is again dependent upon the outcome of the PPG17 Report. In addition, the application proposals have been amended in relation to the design of this scheme and a revised scheme identifying these changes can now be re-assessed.
- 5.14 Transport Assessment. A revised Transport Assessment and a Travel Plan have been requested and we are awaiting submission.
- 5.15 Section 106 Legal Agreement: Details of the 'Heads of Terms' for a S.106 legal agreement remain outstanding. It is envisaged that these would cover enhancements to strategic public transport infrastructure, site access provision, provision of additional or improved greenspace (including Ford House Gardens and swimming pool) and affordable housing.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 The application has been duly advertised on site by the means of a site notice and neighbouring properties have been written to directly, notice was also published in the local press. The application has also been made available for public inspection at Headingley Library.
- 6.2 ***All responses made reference to within this position statement relate to the originally submitted and advertised scheme. It is intended that the revised proposals and report will be re-advertised and re-consulted***
- 6.3 Objections have been received on behalf of the following:
- 6.4 **MP:**
- Greg Mulholland
- 6.5 **Ward Members:**
- Cllr Kabeer Hussain (Hyde Park & Woodhouse)
 - Bernard Atha (Kirkstall)
 - Councillor James Monaghan (Headingley Ward)
 - Councillor Martin Hamilton (Headingley Ward)
- 6.6 **Amenity Groups:**
- Headingley Development Trust
 - Far Headingley Village Society
 - North Hyde Park Neighbourhood Association
 - HMO Lobby
 - Friend and Residents of Orville Gardens
 - Cardigan Triangle Community Association
 - South Headingley Community Association
- 6.7 The LGHS Action Group have also produced their Community Planning Brief for Leeds Girls High School.
- 6.8 The objections raised by MPs, Ward Members and Amenity Groups are summarised below and contain in detail in Annex 1.
- The loss of the area designated as Protected Playing Pitch would have a detrimental impact upon the locality;
 - Children in the area should have access to play areas;

- Increase traffic congestions;
- Poor overall design;
- Limited amenity space for Rose Court;
- Inadequate size and shape of amenity space;
- Proposed Victoria Road access would result in loss of trees;
- Limited Environmental assessments;
- Six different developers could build on the site;
- Too many one bedroom flats;
- Concern over new extension to main School building;
- Retain Victoria Road site as open space;
- Intensity of conversion of Rose Court; and
- Lack of community involvement.

Local Residents:

6.9 A total of 4,459 letters of objection have been received from local residents.

| Application | Estimated number of objections |
|--|---------------------------------------|
| Main School (08/04214/OT) | 733 objections |
| School Building Conversion (08/04216/FU) | 745 objections |
| Rose Court Conversion (08/04219/FU) | 741 objections |
| Rose Court Listed Building(08/04220/LI) | 743 objections |
| Conservation Area Consent (08/04217/CA) | 740 objections |
| Victoria Road site outline (08/04218/OT) | 747 objections |

6.10 The objections raised by Local Residents are summarised below and contain in detail in Annex 2.

- Paying pitches should be retained;
- The applicant has failed to demonstrate that the playing pitches are surplus to requirements;
- No need for more flats in the area;
- There are no clear proposal for affordable housing on the sites;
- There are no clear proposal for Ford House Gardens;
- Negative impact on the Conservation Area and listed building;
- Impact on trees;
- Highway safety and congestion; and
- Lack of community involvement.

7.0 CONSULTATIONS RESPONSES:

7.1 The following comments have been received to date:

7.2 ***All responses made reference to within this position statement relate to the originally submitted and advertised scheme. It is intended that the revised proposals and report will be re-advertised and re-consulted.***

Sport England:

- 7.3 Holding Objection – as Sport England is not satisfied that any of the exceptions of their Playing Field Policy have been demonstrated and as no additional provision or financial contribution towards formal sports provision is proposed to compensate for the increased demand Sport England objects to these applications.
- 7.4 The redevelopment of the Leeds Girls High School and adjacent playing field will result in the loss of existing playing field and sports facilities and the additional residential units will create additional demand on the existing sports facilities in the area. The application proposes to retain the existing sports hall and swimming pool however confirmation on the proposed management or community use of these facilities would be required.
- 7.5 Sport England does not consider the originally submitted a PPG17 Assessment to be sufficiently robust. There appear to be discrepancies throughout the report where reference is made to a lack of access to football pitches in the area which has resulted in pitches being overplayed and reduced in quality but conclusions are made which state there is no significant current or future demand.

Yorkshire Water:

- 7.6 Objections - in that proposed buildings will be located over the line of sewers and this could jeopardise Yorkshire Water's ability to maintain the sewerage Network.

English Heritage:

- 7.7 Holding objections (Outline Residential Scheme 08/04214/OT, Main School Building 08/04216/FU and Conservation Area Consent), as the character and appearance of the conservation area is generated by relatively large residential and institutional blocks in formal relationships with relatively large and open mature landscapes. The proposed layout appears to threaten this by breaking up the open areas with smaller residential blocks. These would have reduced potential for the creation and future management of coherent landscaped settings.
- 7.8 English Heritage would urge the Council to consider whether the proposed form of development as small blocks of townhouses is an appropriate means of preserving and enhancing the character and appearance of the conservation area and the setting of affected listed buildings.
- 7.9 Holding objections (Rose Court 08/04219/FU & 08/04220/LI), as the proposed upward extension of the western wing would erode the coherent design of the listed building and may dominate by virtue of its height and design. English Heritage would urge the Council to consider whether the additional space is justified and if it is, to review the impact of the proposed design.

Environment Agency:

- 7.10 No objections - subject to conditions to control drainage and flooding.

Transport Policy (Travel Wise):

- 7.11 Comments - A residential travel plan is required to cover all the dwellings to accord with the Travel Plan SPD, the development should be contributing to the upgrade of the A660, which will provide improved cycle facilities. WhizzGo have stated they are interested in locating one or two cars at the application site.

NGT/Public Transport Team:

- 7.12 Comments - The scale of the development will also trigger a requirement for a contribution to be sought for enhancements to strategic public transport

infrastructure. A contribution is being sought and this can also be secured through a section 106 agreement.

Highways:

- 7.13 Holding objections – The current proposals can not be supported as submitted as a Travel Plan, revised Transport Assessment and more details of general parking provision are required. The proposed vehicular access onto Headingley Lane is not supported. Further discussions on the design on the internal road layout are also required.

Mains Drainage:

- 7.14 No objections - subject to conditions to control surface water drainage.

Education Leeds:

- 7.15 No objections - There may be a requirement for an educational contribution to secure provision of education facilities which will be needed as a result of the proposed housing development.

Metro:

- 7.16 No objections – subject to improvement to two bus stops on Headingley Lane, contributions towards the Bus Priority Lane and provision of public transport information pack to each new resident.

8.0 PLANNING POLICIES:

- 8.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined having regard to the Development Plan which consists of the Regional Spatial Strategy for Yorkshire and the Humber published on 1 December 2004 and the Leeds Unitary Development Plan (Review 2006).

- 8.2 The most relevant Policies in the adopted Leeds Unitary Development Plan are outlined below. This proposal should comply with these policies in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material considerations indicate otherwise.

- 8.3 Regional Spatial Strategy adopted May 2008:

- H1: Provision and distribution of housing;
- H2: Managing and stepping up the supply and delivery of housing; and
- H5: Housing mix.

- 8.4 UDPR Policies:

- SA1 Securing the highest environmental quality.
- SP3: New development should be concentrated within or adjoining the main urban areas and should be well served by public transport.
- GP5: General planning considerations.
- GP7: Guides the use of planning obligations.
- GP9: Promotes community involvement during the pre-application stages.
- BD5: Consideration to be given to amenity in design of new buildings.
- H1: Provision for completion of the annual average housing requirement identified in the Regional Spatial Strategy.
- H3: Delivery of housing land release.
- H4: Residential development on non-allocated sites.
- H11, H12 and H13 Affordable Housing.
- LD1: Criteria for landscape design.

- N2 and N4: Provision of green space in relation to new residential developments.
- N6 Protected Playing Pitches under.
- N12: Development proposals to respect fundamental priorities for urban design.
- N13: Building design to be of high quality and have regard to the character and appearance of their surroundings.
- N14 to N22: Listed buildings and conservation areas.
- N23: Incidental open space around new built development.
- N38B and N39A: set out the requirement for a Flood Risk Assessment.
- T2: Seeks to ensure that developments will not create or materially add to problems of safety, environment or efficiency on the highway network.
- T15: Improving vehicle accessibility.
- T24: Requires parking provision to reflect detailed guidelines.

8.5 National Planning Policy Guidance:

- PPS1: Delivering Sustainable Development;
- PPS3: Housing;
- PPG13: Transport;
- PPG15: Planning and the Historic Environment;
- PPG17: Planning for Open Space, Sport and Recreation; and
- PPS25: Development and Flood Risk.

8.6 Supplementary Planning Guidance

- Neighbourhoods for Living.
- Affordable Housing Policy.
- Greenspace relating to New Housing.

9.0 MAIN ISSUES

9.1 Having considered this application and representation, it is the considered view that the main issues in this case are:

- The principle of the development proposals;
- The impact on the Headingley Conservation Area and Character and Appearance of the Area;
- Highways, access and parking implications;
- Developer contributions; and
- Conclusions.

10.0 APPRAISAL

THE PRINCIPLE OF THE DEVELOPMENT PROPOSALS:

10.1 The application sites lie within the urban area of Headingley, but are now vacant as a merger resulted and the relocation of Leeds Girls High School (LGHS) to the current Leeds Girls High School (LGS) site at Alwoodley Gates. Ideally the sites should retain their existing uses or conform to the predominant use of the immediate area. In principle, given the surrounding area is predominantly residential, a suitable family residential redevelopment on these sustainable sites seem the most appropriate and deliverable option.

10.2 As the Headingley Conservation Area covers the Main School Site and encompasses the Victoria Road Site, a high quality development would be expected which is sympathetic to its surroundings which includes a grade II listed building in a

parkland setting. Residential use is obviously subject to the usual planning and highways considerations.

- 10.3 In principle, a significant benefit of the schemes are that they propose family accommodation within a residential area that is predominantly dominated by houses in multiple occupation. Given the designation of this site within the defined Area of Housing Mix, the proposal would enhance the balance and sustainability of the housing mix in the local community. This benefit conforms with the main thrust of Regional Planning Guidance in the RSS, Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1 and Planning Policy Statement 3 aimed at developing strong, vibrant and sustainable communities and social cohesion.
- 10.4 That being said, The Main School, Victoria Road and Ford House Garden sites are all allocated as protected playing pitches (and Greenfield by definition) in the Leeds UDP. Therefore, the principle of redevelopment of the sites would be contingent upon the requirements of PPG17 and Policy N6 of the UDP being satisfactorily addressed.
- 10.5 It has been the consistent view of officers that a comprehensive view needs to be taken about the future of the whole campus and that we help to deliver a high quality scheme which respects its landscape setting and Conservation Area status, as well as create lasting benefits to the local community. Our approach has continued to be to prevent the individual parts of the campus from being considered in isolation of each other and to balance potential community benefits with development options across the whole school site.

Protected Playing Pitches

- 10.6 Policy N6 of the UDP states that, development of playing pitches will not be permitted unless
- There is a demonstrable net gain to overall pitch quality and provision by part redevelopment of a site or suitable relocation within the same locality of the city, consistent with the site's functions; or
 - There is no shortage of pitches in an area in relation to pitch demand locally, in the context of the city's needs, and city wide, and development would not conflict with UDP policies concerning protection of the green belt, protection and enhancement of greenspace and provision of additional greenspace, urban green corridors and other open land.
- 10.7 The Government objectives in relation to open spaces, sport and recreation are contained within PPG17 as they all underpin people's quality of life. Protection of open space, sport and recreation are therefore fundamental to delivering broader Government objectives.
- 10.8 Although Leeds City Council are currently producing a district wide greenspace strategy, as this is not currently available, government guidance does indicate that developers can do their own to support a scheme.
- 10.9 Therefore the application proposals contain a PPG17 assessment which aims to show:
- The playing pitches have been replaced and or bettered;
 - Reviews potential alternative uses for the protected pitches that will be lost;

- There is sufficient playing field provision in the area, and
- The scheme provides sufficient Greenspace for the new dwellings.

Playing Pitches Re-provision

- 10.10 The application proposals contend that the playing facilities to be lost as a result of these applications have already been or are in the process of being replaced by Girls School, which is sited at Alwoodley Gates. The new playing facilities were formed following the merger of LGHS and Leeds Grammar School, which formally opened in September 2008. GSAL has been developed with the necessary facilities for the number of pupils who attend the school including the pupils of LGHS; therefore every person who would have had access to the facilities at LGHS now has access to facilities in a new location. These facilities are also available to the public in a controlled manner with proper supervision. The swimming pool and sports hall which abut the Victoria Road Site will also become potentially available to the public.
- 10.11 LGHS has now closed and the fields and facilities are no longer in use by the school. As a consequence of the School's merger with Leeds Grammar School these facilities have been replaced at The Grammar School at Leeds ("GSAL") which is a campus of 125 acres providing the up to date facilities with effective and efficient management.
- 10.12 The application states that the sporting facilities at GSAL include multipurpose outdoor Astroturf courts and football/rugby/hockey pitches and tennis courts. These facilities are of a better quality and more accessible to the general public than the facilities at LGHS were in the past. Astroturf courts utilise modern materials to provide grip to the users in various weather conditions.
- 10.13 The application also states that these facilities receive regular maintenance from GSAL and have 24 hour security surveillance. The football/rugby/hockey pitches are also regularly maintained to provide a level playing surface, which again reduces the risk of injury. Without regular maintenance and restrictions upon use, the quality of grass sports fields can be greatly reduced over time as was the case with the Victoria Road field. Every effort has been made to identify an organisation to operate and manage the LGHS playing pitches or maintain them as areas of informal open space, but no such organisation has been identified or come forward.

Alternative Uses

- 10.14 The PPG17 Assessment also requires application proposals to look at whether the protected land could be reasonably used for alternative play or open open space use.
- 10.15 The main school site contains two tennis courts and a large amount of grassland. Whilst the Victoria Road site contains the swimming pool and gymnasium, the sport pitch behind was used for periodic hockey training. The Ford House Garden site is currently used a play area for prep school and summer sports days.
- 10.16 The application proposes that the tennis courts have only been used by students of LGHS, however in the latter years of the schools occupancy of the site, this use reduced due to the poor quality of the facilities and risk to the pupils. The grassed area has not been open to public use and has only ever been available for uses associated with LGHS, due to its substandard size and condition the use even by LGHS has been limited.

- 10.17 The Victoria Road Site comprises a grassed area which also is allocated as a protected playing pitch. Although insufficient for the accommodation of any formal sports pitches, the Victoria Road site has previously been used as a practice field for hockey. However, the application indicates that this use ceased due to problems being frequently waterlogged, having an uneven surface, no publically available changing or car parking facilities, unacceptably close proximity to existing residential properties for the purpose of organised sports activities and spectator participation. The field has historically been used solely by pupils of LGHS with no public access and has only been used as a practice area. The School have pointed out that there has been some unauthorised use by people climbing over the fence to access the site.
- 10.18 Following this analysis, the report indicates that it would not be easy or reasonable to reuse these areas for other uses. The full details of facilities lost, retained and provided are attached in appendix 3, while details of public/private facilities lost and gain are provided within appendix 4.

Playing field provision in the area

- 10.19 The application proposals are within 300 metres of Woodhouse Moor, which is designated as Greenspace within the UDP Proposals Map. Woodhouse Moor measures approximately 21.5 hectares in size and is considered to be a major city park. The PPG17 assessment seeks to show that, the green space and facilities provided by Woodhouse Moor ensure that the applications have suitable access to the hierarchy of green spaces which are sought by Policies N1, N2 and N4.

Greenspace Provision

- 10.20 As stated below (paragraph 10.51 to 10.55) the application proposals assess the scheme a single development unit for the purpose of assessing the Greenspace contributions. These assessments have shown there is an under provision of Greenspace on site for potential future residents.
- 10.21 The application proposals have sought to solve this under provision of Greenspace at Ford House Gardens. The use of Ford House Garden in this way was not just a device to create the Greenspace in a mathematical way, but to create a valuable community facility which would address the needs of the development and contribute to the needs of the wider community where there is a recognised need to improve greenspace provision.
- 10.22 The availability of Ford House Garden would also help to allay concerns about the physical usability of some of the landscaped amenity areas given their very close proximity to residential property on the indicative plan.
- 10.23 It is considered that Ford House Garden represents a unique opportunity in this community to start to redress this deficiency as well as meet the needs of any new residents generated by this scheme.

Future of the Pool/Sports Hall

- 10.24 The application proposals make reference to the Pool and Sports Hall in the PPG17 assessment. It is your officers understanding that Leeds Metropolitan University are progressing their interest in taking over this facility.

- 10.25 It is considered that we need to agree an appropriate mechanism (Day to day management and Community Access Agreement) to deliver this important community benefit (this would also ensure that there would be no running costs passed onto the Council). This is also clearly of importance to a satisfactory outcome being achieved through the determination of the PPG17 Assessment.

Ford House Gardens

- 10.26 An essential benefit to the local community (not only as Greenspace for new residents) is the very real prospect of bringing Ford House gardens into public ownership in order to form a new local park/informal greenspace area. Ford House Gardens is included within the development proposals and it clear what the school's intentions are in respect of this part of the campus. The consequence of this area being put forward for greenspace use would be that the overall balance of new built development and retained greenspace would be an overall improvement.
- 10.27 We have therefore asked for formal clarification of the school's intentions for Ford House Gardens to ensure we obtain details of land ownership transfer and suitable commuted maintenance sum (and there inclusion within a legal agreement). Details of ongoing day to day running of a future park would also be required to assess how the community would use and access the gardens and what affect that would have on the part of the school that is still located in Ford House.
- 10.28 We are continuing to look at these aspects in detail and will need to determinate in conjunction with Sport England the Council's Parks and Countryside Section.

- ***Members comment are sought on the approach of achieving linked internal spaces on the main school site and the re-provision of outdoor facilities on the Alwoodley Gates Site and the benefits of the gift of Ford House Gardens to achieve a public park; and***
- ***Wider public accessibility of the new development and the scope for retention of the swimming pool and sport hall with greater public accessibility.***

Level of Detail within application(s)

- 10.29 The application includes layout and an indicative split of the units, however the specific number of properties are not being identified at this stage by the application, this, they state is to allow for flexibility for future developers of the site. The layout of the dwellings includes showing the dimensions of the buildings and indicative garden areas, however the exact split in terms of the number of units in a terrace or the inclusion of a large detached or two smaller semi-detached properties has not been submitted and the applicants have state this is to be included within a subsequent reserved matters application. Notwithstanding this, the location and scale of the buildings is shown on the plans.

Design rationale

- 10.30 The scheme proposes a mix of predominantly new build family housing in the form of 2 and 3 storey terrace dwellings and the conversion of the existing buildings to residential flats. The application (as a basic principle) seeks to ensure that all new buildings respect the exiting buildings, but have a contemporary look.

Residential Amenity

- 10.31 The application is in outline form with design and external appearance to be determined at the reserved matter stage. As such any concerns with regard overlooking would be dealt with upon the submission of a detailed reserved matters application.
- 10.32 Notwithstanding this, a layout plan accompanies the planning application, which shows the location of the properties demonstrating separation distances to allow your officers to ensure that any reserved matters application(s) can be designed in such a way as that issues of overlooking, overshadowing and the dominance of properties would not reduce the residential amenity of either the occupants of the existing neighbouring properties or the future occupants on the site.

The impact on the Headingley Conservation Area and Character and Appearance of the Area

- 10.33 The Main School Site and Ford House Garden are located within the Headingley Conservation Area, which was designated in November 1980 following the amalgamation of the seven smaller conservation areas in Headingley.
- 10.34 The historical built form of Headingley comprises large detached stone villas set back from the road behind stone boundary walls and in large landscaped grounds. The industrialisation of Leeds in the early nineteenth century brought great wealth and the development of mansions in the more rural surroundings of Headingley.
- 10.35 In the 1830s, the development of this part of the Headingley Conservation Area began through the selling of building plots to affluent industrialists and the establishment of large villas. To the north of Headingley Lane, semi-detached villas were built, with the exception of Headingley Terrace. Development continued through the mid-nineteenth century with the construction of substantial villas of varying sizes and a range of architectural styles set in large gardens. Further villas were built to the south of Headingley Lane, including Morley House in c.1830.
- 10.36 In the 1850s, Headingley was a very popular middle class residential area. This prompted the Earl of Cardigan to develop smaller villas and terraces on land south of Headingley Lane with a different character. In particular, the area to the south of Victoria Road was developed as brick-built terraced housing for the less wealthy. Infilling continued into the last quarter of the twentieth century. During this period, the School continued to develop and grow.
- 10.37 From the mid 1970s, plots to the north and south of Headingley Lane were brought forward for large scale developments. The most notable is Headingley Business Park, a multi-storey office redevelopment of the former Wool Association site. This was followed by the development of student halls of residence, housing association dwellings and the subdivision of villas into flats.
- 10.38 By the end of the twentieth century, the built form of the Headingley/Hyde Park area had experienced large-scale change. This significantly altered the character and appearance of the area. However, a strong landscape character of trees and open spaces remains, with plot demarcation by substantial stone boundary walls and ornate entrance piers. Some of these elements are in need of renewal or repair.
- 10.39 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area.

- 10.40 The application proposals do retain significant buildings on site, including Rose Court, Rose Court Lodge, the Stable Block and the front element of the Main School Building.
- 10.41 Two landscaped squares in front of the Main School Building and Rose Court are proposed will be connect by adopted footpaths to create a green corridor, amenity space and suitable settings for the main buildings.
- 10.42 All the new building has been sited to assist in forming these open squares and are two/three storey in scale to ensure they appear subservient to the Main School Building and Rose Court.
- 10.43 Access points and internal roads and footways have been minimised, which the use of existing accesses, roads, paths and hard standings to assist in the parkland approach of the new development.
- 10.44 The application proposals seek to ensure that detailed design of the new buildings and extension to the Main School Building are such that the proportions of the parts relate to each other and to the primary and listed buildings
- 10.45 The application proposals seek to the ensure that careful attention is given to the design and quality of boundary and landscape treatment by retaining and enhance the boundary walls and entrances to Victoria Road and Headingley Lane
- 10.46 A complete revised scheme identifying these changes can now be re-assessed.

The impact upon the Listed Building

- 10.47 As stated in paragraphs 3.4 and 3.7 the application site contains two listed buildings. Rose Court and Rose Court Lodge. As Rose Court Lodge was last used for residential use, is to be retained as residential use and does not require a planning application.
- 10.48 Rose Court is set to the north eastern part of the site with landscaping to the front. Rose Court is a villa built as large house in the 1840s in the formal classical tradition. The property has a garden front taking advantage of the steeply sloping site. The terrace to the front conceals a high basement with windows set into areas. The views from the terrace currently are of extensive car parks and hard surfaced tennis courts. The property previously had a Victorian conservatory at the western end projecting forward of the main frontage. This has subsequently been replaced with a new extension erected in stone with classic columns as a portico to the north.
- 10.49 The proposals include the conversion of the basement with the ground floor into four large duplex apartments. The first floor is designed for two duplex apartments (using the roof space), one two bedroom apartment and 1 No. one bedroom apartment on one level. An apartment makes use of the existing space of the servant's stair case to gain access to the attic floor but remove the existing stair above the first floor. The remaining one has a purpose- built stairs that rises through the existing ceiling.
- 10.50 Positive discussion have taken place with respect of the listed building design elements of the scheme. This has resulted in the removal of the modern extension on the western elevation of Rose Court and the new building block to the north west of Rose Court. Amendments have also included increasing the setting to Rose

Court and enlarged amenity space and more suitable entrance and parking arrangements with Rose Court Lodge.

The impact upon trees and Landscape

- 10.51 The Main School Site is considered that the sites have a reasonable treescape. The trees are generally in good condition and appear to have been maintained on a regular basis. The age structure and species diversity are both limited with the vast majority of the trees being Mature Sycamores, Lime and Horse Chestnut. There is only minimal recent planting. While the schemes on The Main School Site do involve some tree loss, this is restricted to individual trees spread around the site and the applications do seek to retain the vast majority of the trees particularly on the boundaries to ensure the treescape. Discussions are ongoing in relation to the siting of new builds and footpaths to ensure tree protection.
- 10.52 The outline applications do not seek permission for landscaping at this stage, however indicative zones and planting themes have been identified in the Design and Access Statements. Hard and soft landscaping details have been provided for the full and listed applications.
- 10.53 We are in ongoing discussions on these detailed landscaping and tree protection elements of the applications and a revised scheme identifying these changes can now be re-assessed.

Members comments are sought on the form and nature of proposed development in relation to the retained listed buildings and retained main school building in their settings and in the wider conservation area context

HIGHWAYS, ACCESS AND PARKING IMPLICATIONS

- 10.54 Detailed discussions have been ongoing since the submission of the application into the access and internal road layout on all site in the context of this sensitive environment dominated by important existing buildings, mature trees and boundary treatments.
- 10.55 These negotiations have resulted in the removal of the Headingley Lane access and revised layout for both the Main School site and the Victoria Road site. The scheme has also been revised in relation to improving cycling links across the site and measures to improve access to public transport.
- 10.56 That being said, the Council's Highways Section is not yet in a position to fully respond at this juncture. The submitted Transport Assessment is currently being revised and further additional information is being sought in relation to general parking provision and the submission of a Travel Plan.
- 10.57 In addition, the applicant has also been asked to consider various highway improvement schemes including improvement of the A660 including the Victoria Road/Headingley Lane and Hyde Park Corner junctions plus the junction of Buckingham Road/Headingley Lane and the possible provision of an additional pedestrian crossing point on Headingley Lane.
- 10.58 While the principle of highway access to the main school site and Victoria road are acceptable in principle, further reassessments are required on future revised plans and reports.

Member comments are sought on this approach on achieving enhancements to strategic public transport infrastructure, basic public transport, site access provision and access by sustainable modes of travel.

S.106 OBLIGATIONS:

- 10.59 Policy GP7 guides the use of planning obligations. This policy is of relevance in relation to any Section 106 Agreement associated with;
- Affordable Housing Provision;
 - Greenspace Requirements;
 - Education Contribution;
 - Strategic Public Transport Infrastructure;
 - Public transport provision;
 - Off site Highways Works;
 - Travel Plan; and
 - Transfer of land.

Affordable Housing Provision

- 10.60 As part of the residential submission, the application originally offered to contribute a commuted sum which would seek to support a more flexible approach to affordable housing provision. This offer sought to contribute a commuted sum which would have been used to bring former student houses within the Headingley area back to affordable family accommodation. Whilst this approach does not accord with current practice, this reflects the considerable local support for such proposals and the potential benefits this could bring in helping support a sustainable community. Any such sum should still match the 15% requirement of the total units built.

On-Site Greenspace Provision

- 10.61 In terms of Greenspace provision, the applicant's originally argued that where the number of dwellings is not specified (i.e. outline applications) the policy provision of requirement is a 10% of the site area as provided for in the Council's Supplementary Planning Guidance.
- 10.62 However, as each outline planning application specifies an illustrative number of dwellings which have been established following ongoing consultations, these numbers can be used to calculate the Greenspace requirements of each application.
- 10.63 Notwithstanding the separate applications, it has also been agreed to consider the Main School Site, Rose Court, the Senior School Site building and Victoria Road as a single development unit for the purpose of assessing the Greenspace contributions.
- 10.64 The greenspace provision as part of the Rose Court and Senior School Site applications is a combined total of 0.208 hectares provision on site, this equates to an over provision of 0.012 hectares. The under provision shown on the Main School Site is 0.07 hectares of greenspace (0.284 hectares required and 0.214 hectares provided). All three sites combined have a policy requirement to provide a total of 0.480 hectares of Greenspace and actually provide 0.422 hectares of Greenspace, an under provision of only 0.058 hectares over all three applications.

- 10.65 Further to this as no Greenspace is provided on the Victoria Road site, there is an under provision of a further 0.116 hectares. This under provision on these sites is proposed to be offset by the large offsite contribution of greenspace, which is proposed to be provided in the form of Ford House Gardens.

Education Contribution

- 10.66 As the development sites will exceed 50 dwellings and in accordance with Revised UDP Policy there may be a requirement for an educational contribution to secure provision of education facilities which will be needed as a result of the proposed housing development. It is considered that this matter can be secured through an appropriate legal agreement.

Strategic Public Transport Infrastructure

- 10.67 The scale of the development will also trigger a requirement for a contribution to be sought for enhancements to strategic public transport infrastructure. A contribution is being sought and this can also be secured through a section 106 agreement.

Public transport site access provision

- 10.68 Metro are seeking improvements to ensure that the application proposals make sufficient enhancements to public transport provision and to encourage and promote access by sustainable modes of travel.

Member comments are sought on this approach on achieving the necessary planning obligations.

CONCLUSIONS:

- 10.69 Members make a note of the position statement and the history of the site which lead to these applications being submitted.
- 10.70 Members are requested to note the contents and issues raised within this position statement.
- 10.71 Members are invited to comment in relation to the key issues of the principle of the development proposals, the impact on the Headingley Conservation Area and character and appearance of the area, highways, access and parking implications and developer contributions matters which are highlighted in the report.
- 10.72 Members are also requested to agree that the application (subject to amended plans and reports being received) now be subject to full re-consultation to a timescale agreed in consultation with Ward Members.

Background Papers:

Application and history files.
Certificate of Ownership.

ANNEX 1

Summary of representations

MPs, Ward Members and Amenity Groups

08/04214/OT - Outline Application for residential development (Main site)

1. The loss of the area designated as Protected Playing Pitch under UDP Policy N6 would have a detrimental impact upon the locality in terms of character and appearance of the area and residential amenity. The PPG17 assessment submitted by the applicant has a number of flaws including the limited geographical area of research, incorrect assumptions about travel times and access to pitches in other parts of the city and a lack of consultation with local stakeholders, i.e. sports clubs and schools. The subsequent report that has been received by the Local Planning Authority assesses the quality of the pitches as open space, and does not address the concerns regarding the original report that considered whether the pitches are surplus to requirements for team sports. In terms of the latest report, there are several concerns with the depth and relevance of the report. The report neglects to consider the main school site at all and focuses on Ford House and Victoria Gardens. The use of the Greater London Authority standards is misleading and inappropriate, the consultation that was carried out is poor, the study ignores relevant Unitary Development Plan policy, and the rational and overall depth of the report is lacking. This report does not adequately justify why these spaces are apparently surplus to requirements. It is also noted that the area to the north and west of the sites is designated under UDP Policy N3 as being an area deficient in publicly accessible greenspace. It is therefore important that these Protected Playing Pitch areas should be retained and made publicly accessible in order to positively address this issue.
2. There is national concern about the rising incidence of childhood obesity, and an expectation that this could lead to widespread serious diseases when this cohort reaches middle age. There is growing medical consensus that increased physical exercise is the most important therapeutic response to this problem.
3. The immediately surrounding area has a high proportion of residents with a South Asian ancestry, and this particular group suffer from a high incidence of diabetes and cardiovascular disease. It is therefore particularly important that children from these families should take part in physical sport, and establish an exercise habit, since this is known to have a protective effect on these conditions. Provision of playing pitches is an essential part of this.
4. The layout of development on the southern half of the site, mainly comprised of cul-de-sacs, edged with significant amounts of hardstanding for car parking is a concern. Traffic congestion in the area is intense and on-street parking is already a problem in surrounding streets. This is likely to be exacerbated by the dense development, especially as the users of the new Rose Court (including any school coaches) will no longer have the possibility of parking at the main school site or at the ELC.
5. The limited space left to provide a setting to Rose Court (Listed Building) and the main school building is not appropriate.
6. The scheme includes two landscaped amenity areas that according to UDP Policy, should be publicly available. However, given the size and shape of these spaces, the fact that they are located in the centre of the site, and are immediately bounded by residential properties, it is unlikely that these will ever be usable to existing local residents in the surrounding area.

7. It is questionable whether the access onto Victoria Road is the best place to become an entrance, given the loss of a number of small trees. Whilst there are many trees shown to be retained, there are some very close to proposed buildings that could suffer roots damaged during construction. Additionally, future occupiers may pressurize the Council to allow them to remove trees that would overshadow the new houses and their modest garden areas. Re-assurance that any new trees will be of an appropriate size and be species that will complement the setting of any new development must be given.
8. The environmental assessments are limited in timing, frequency and scope (e.g. no mycological or entomological surveys) and they fail to give any idea of the real ecological importance of the site and the tree report does not highlight the significance of some of the trees (e.g. particularly fine Cut Leaved Beech, which is generally rare, and Turkey Oaks and Copper Beech, which are rare in Headingley.) The LGHS grounds are not only greenspace in human terms, they are part of a tapestry of undeveloped areas that allows wildlife into town. In environmental terms, the lawn and trees of the main site are probably the most valuable greenspace.
9. We have a situation where the impact of the different planning applications potentially granted to at least six different developers could be a factor in how well the site as a whole is dealt with. The impact of any developments will affect two of the city wards, Headingley and Hyde Park & Woodhouse. Residents in both densely populated wards (and beyond) have views on the need for applications granted to consider conservation issues, potential loss of green space, traffic issues and the health benefits to local residents of the retention of green spaces.

08/04216/FU - Change of use and extension, including part demolition of school building and stable block to 32 flats and 4 terrace houses (Main building on main site)

10. The dense building/conversion proposed on the site includes considerable numbers of flats, many with only one bedroom. In public meetings and in the Community Planning Brief local people have stressed how much they want this area to become a balanced community, with more family housing and with any further provision of accommodation suitable for students or property in multiple occupancy specifically excluded. While it is good to see that it is proposed to retain the impressive main building, for which conversion into apartments would be appropriate, flats are already in oversupply, locally and across the city, while there is a shortage of family housing needed to address the demographic imbalance. The Community Planning Brief also makes it clear that developments should be in keeping with the area and should be no more than two to three storeys high.
11. The retention of the original main school building is positive as the property arguably contributes to the character and appearance of the Conservation Area. The most suitable use of the building is to convert it into one and two bedroom flats, given the existing layout of the building. However, a new extension is proposed which would also provide one and two bedroom flats. Given the desirability of achieving a greater mix of housing types, it would be more appropriate to use the extension to provide larger flats that would be more capable of accommodating families. This would not only help achieve a greater mix of housing on site, but would also potentially assist with readdressing the demographic imbalance that exists in the local area.
12. Notwithstanding the above, the stark appearance and bland architecture of the proposed extension is a concern. This side of the main building has a significant impact upon the setting of Headingley Lane and so it is crucial that the design is right.

This is particularly so, given the location in a sensitive part of the Headingley Conservation Area.

08/04217/CA - Conservation Area Application for the demolition of rear and side extensions to main school building, 2 villas to north west of site, lean-to to stable block and greenhouse and removal of 4 storage containers (Main site)

13. Demolishing the extensions and buildings specified in the application is not of concern. However, it would not be appropriate to approve this application in the absence of a planning permission being granted for a quality scheme of re-development.

8/04218/OT - Outline Application for residential use (Victoria Road - pitch area only)

14. As described in the Outline Application for the main school site, objections are raised to the loss of the area designated as Protected Playing Pitch under UDP Policy N6. The schools' consultants have failed to submit a satisfactory PPG17 assessment. In particular, four local primary schools have no pitch areas whatsoever and the hockey pitch would present an excellent local facility for sports use by local children.
15. The area to the north and west of the sites is designated under UDP Policy N3 as being an area deficient in publicly accessible greenspace. It would seem common sense that the Protected Playing Pitch areas should be retained and made publicly accessible in order to positively address this issue.
16. The proposed access from Chestnut Grove is a concern as the area is already heavily congested, particularly during university term time, and Chestnut Avenue is something of a hot spot for conflict between road users given the narrowness of the road, the fact that it is a bus route and taking into account the number of cars that already use this road to access other streets.

08/04219/FU - Change of use involving alterations and extension of school building to 8 flats and 4 terrace houses (Rose Court on main site)

17. The conversion of Rose Court to apartments is probably the best likely use of the building, although re-assurance that the level of intervention is appropriate without harming the integrity of the building is necessary. The change of use of the existing extension to townhouses is also an interesting use of this space. However, the proposed second floor extension is considered a harmful addition due to its architectural appearance and use of materials. Whilst a contemporary design may be an appropriate solution to improving the appearance of the building and achieving the space needed, I do not think the submitted proposals are good enough. Again, apart from the impact upon the Listed Building, the extension will also be clearly visible from Headingley Lane and will impact upon the character and appearance of the Conservation Area, so it is important that an extension is of a high quality.

08/04220/LWE - Listed Building Application including part demolition and extension to form 8 flats and 4 terrace houses

18. It would be highly inappropriate to approve a Listed Building application being for works in the absence of planning permission being granted for an appropriate form of development.

19. Overall, objections are raised to all six of the applications for the reasons given. The proposals fall well short of the requirements of both UDP Policy and national planning guidance.
20. The development of the LGHS site is going to affect the lives of everyone in the surrounding area for decades and more. This is already an unbalanced community in need of regeneration; it is vital to get the right development on this site. Yet there is no strategic review or overall master plan underlying these proposals to protect community balance, the environment, or architectural coherence.
21. Such a view should have been developed in consultation with the local community. The community has made its views clear, most recently in the Community Design Brief, but these have been ignored. Invitations to the applicants to attend public meetings have been turned down. The community consultations the applicants mention have been a travesty and no account has been taken of the views expressed.

ANNEX 2

Summary of representations

Local Residents

Main School Site (applications 08/04214/OT, 08/04216/FU, 08/04219/FU, 08/04220/LI and 08/04217/CA):

1. The playing fields are a much needed amenity in terms of open space for an area that has a deficit of such space.
2. Access is required by local sports teams due to the shortfall of playing pitches in the area. Furthermore, the playing fields are required by school children as the five local primary schools do not have any facilities of this nature. The Community Brief confirms this need/demand.
3. Over a 1000 residents, including all five local school head teachers, plus the local MP and City Councillors, to have the pitches bought for public use clearly demonstrates local need.
4. Unitary Development Plan policy N3 and N6, and Planning Policy Guidance note 17, are relevant to these sites. These policies forbid development on the existing sport facilities, whether privately or publicly owned, except under certain circumstances, none of which apply.
5. The applicant has failed to demonstrate that the playing pitches are surplus to requirements.
6. Policy N3 requires that priority is given to improving green space provision in the Hyde Park area that has exceptional green space deprivation, and within walking distance 'up to 800m' of that area. Two of the Protected Playing Pitches are on the N3 area boundary, and the third is well within 800m walking distance. They must be all identified as green space for the deprived area.
7. It is not appropriate to change the character of Woodhouse, so it can accommodate playing pitches to justify these proposals.
8. Policy EN11 of the Yorkshire & Humber Regional Spatial Strategy states 'plans, strategies, investment decisions and programmes should...help improve the health of residents by...providing, safeguarding and enhancing high quality facilities for sports and recreation. These proposal are in breach of this.
9. There is an over supply of flats within the area. Therefore, there is no need for any more. The area requires more family housing to attract long-term residents to the area.
10. There are no clear proposal for affordable housing on the sites. The location and size of these sites makes them ideal for affordable housing.
11. Only four terrace houses have been proposed so far that could answer the need for family houses, which is not acceptable. In this respect, the application fails to respond to national policy on housing mix.
12. The demographic balance in the area has been destroyed by a massive influx of students. The housing proposed is unlikely to attract families back and is unlikely to be suitable for elderly residents.

13. Any development that takes place on the main site should be subject to a legal agreement excluding students.
14. Where is the green space and recreational areas for the numbers of people expected to live there? Green space is important both socially and environmentally and yet we continue to give it up for commercial interests.
15. Has proper analysis of the effect on the drainage system if these areas are to be mainly covered by hard surfaces been taken
16. The proposed extension to the main school building as it faces Headingley Lane is not appropriate for this sensitive part of the conservation area.
17. The historic buildings that make up part of these applications are of significant architectural merit and should be treasured for the role they play in making Headingley a distinctive suburb. These plans would effectively maroon the original buildings amongst the new build, severely compromising all that makes them stand out.
18. Demolition of the 1930s extension to the main school is unacceptable, as it is in keeping and is a positive contribution to the area.
19. The excessively intensive development will seriously diminish the setting and quality of the whole Conservation Area, so we wish to object to the outline application on this basis. Specific comments are [references to the attached rough copy of the submitted site plan]:
20. The 3 blocks of townhouses [17, 18, 19] opposite Rose Court are acceptable, as are the 5 further blocks [5, 9, 10, 11, 12] behind, beside and opposite the main school building, and a 6th at right angles to Victoria Road [13].
21. The 2 houses [20] east of Rose Court [22] should be omitted, to preserve a dignified setting for the villa. The modern addition to the villa [21] should be omitted, as set out in a separate message commenting on application 08/04220/L1.
22. 3 further blocks [6, 7, 8] along the Headingley Lane side should also be omitted; we believe these to be particularly damaging to the Conservation Area.
23. The 3 blocks [1, 2, 3] on the west side of the access road leading to Headingley Lane would be better arranged as a straight terrace on the alignment of block 3, instead of the random siting proposed.
24. The apartments [14, 15, 16] at the south-west corner of the site are acceptable. Conversion of the main school building [23] and of the stable block [4] is acceptable.
25. It is understood that consent will not normally be given for demolition of some of the buildings and structures within the conservation area unless planning permission has been granted for replacement. We do not wish to see the creation of derelict areas in our neighbourhood.
26. The development would have a detrimental impact upon the local highway network due to an increase in the number of vehicles in the area. The roads in this area are already over-crowded, and some are difficult to negotiate due to parked cars.

27. Cycling on Victoria Road is currently a problem with poor parking provision and little consideration given to cyclists. A denser traffic volume or denser car parking on the street, will prevent people from cycling and walking. Thereby, increasing the poor health of the area.
28. The proposed development will harm the conservation area.
29. The loss of many trees within the sites will have a harmful impact upon the conservation area. The proposals incorporate at least a 25% loss of mature trees.
30. The proposal will have a detrimental impact upon this green area. Leeds 6 is already over crowded in terms of housing, and so these sites should be kept for the benefit of the community.
31. The totally lack of community involvement in the development of these plans is unacceptable.
32. The proposal that have been put forward are piecemeal with no overview, and without taking account of the communities who live around the school.
33. The extension to Rose Court is extremely unsympathetic in both design and scale.
34. The development at the Rose Court site will detract from the Conservation Area.
35. Concerns that these applications do not detail the future use of Ford House Gardens.

Victoria Road Site (application 08/04216/FU):

36. The playing fields are a much needed amenity in terms of open space for an area that has a deficit of such space.
37. The playing fields are required by local school children as the local primary schools do not have any facilities of this nature. Furthermore, access is required by local sports teams due to the shortfall of playing pitches in the area.
38. Over a 1000 residents, including all five local school head teachers, plus the local MP and City Councillors, to have the pitches bought for public use clearly demonstrates local need.
39. Unitary Development Plan policy N3 and N6, and Planning Policy Guidance note 17, are relevant to these sites. These policies forbid development on the existing sport facilities, whether privately or publicly owned, except under certain circumstances, none of which apply.
40. Policy N3 requires that priority is given to improving green space provision in the Hyde Park area that has exceptional green space deprivation, and within walking distance 'up to 800m' of that area. Two of the Protected Playing Pitches are on the N3 area boundary, and the third is well within 800m walking distance. They must be all identified as green space for the deprived a area.
41. There is an over supply of flats within the area. Therefore, there is no need for any more. The area requires more family housing to attract long-term residents to the area.

42. The development would have a detrimental impact upon the local highway network due to an increase in the number of vehicles in the area. The roads in this area are already over-crowded, and some are difficult to negotiate due to parked cars.
43. The loss of many trees within the sites will have a harmful impact upon the conservation area.
44. The proposal will have a detrimental impact upon this green area. Leeds 6 is already over crowded in terms of housing, and so these sites should be kept for the benefit of the community.
45. The plans have been developed without any involvement of the local people.

ANNEX 3

Facilities lost, retained, upgraded and provided

| | Location | Number & type | Area (ha.) | Availability to local community | |
|---|----------|---|------------|---------------------------------|-------------|
| | | | | Pre-Merger | Post-Merger |
| Facilities Lost to LGHS Development | LGHS | 6 Tennis/Netball 1 Grass Hockey | 0.94 | No | No |
| Existing Facilities Retained | LGHS | 1 Gym 1 Swimming Pool | 0.2 | No | Yes |
| | LGHS | Ford House Gardens | 0.5 | No | Yes |
| | GSAL | 2 Rugby or Football | 0.77 | No | No |
| | GSAL | 2 Rugby or Football | 0.77 | No | No |
| | GSAL | 2 Cricket | 2.21 | Yes | Yes |
| | GSAL | Swimming Pool and viewing area | 0.1 | Yes | Yes |
| | GSAL | Cricket or Rigby | 1.4 | No | No |
| | GSAL | Athletics Track and Field | 1.63 | No | No |
| | GSAL | Netball | 0.005 | No | No |
| Existing Facilities Upgraded Post Merger | GSAL | Junior Sports Pitch | 0.9 | No | No |
| | GSAL | 3 Cricket Nets | 0.1 | No | No |
| | | Sports Hall including: 5 Basketball 2 Mini Basketball 6 Badminton 1 Five-a-Side Football 3 Squash Climbing Wall | 0.172 | Yes | Yes |
| | GSAL | 4 Tennis 2 Netball | 0.23 | No | No |
| New Facilities Post Merger | GSAL | Junior Sports Hall: 2 Badminton 2 Basketball Wallbars | 0.004 | N/A | No |
| | GSAL | 2 Netball | 0.004 | N/A | No |
| | GSAL | Trimtrail | 0.006 | N/A | No |
| | GSAL | 3 Netball 1 Five-a-Side Football | 0.015 | N/A | No |
| | GSAL | 8 Tennis 4 Hockey 4 Five-a-Side Football 2 Football | 0.12 | N/A | Yes |
| | GSAL | 3 Tennis 2 Netball | 0.017 | N/A | No |
| | GSAL | 1 Cricket or 2 Football or 2 Rugby or Five-a-Side Football | 3.94 | N/A | No |

ANNEX 4**Public/Private Facilities lost/gained**

| | Number | Hectares |
|----------------------------------|--|-----------------|
| Private facilities lost | 6 Tennis 6 Netball 1 Grass Hockey 1 Multi-purpose Gym 1 Swimming Pool | 1.14 |
| Public facilities lost | 0 | 0 |
| Private facilities gained | 2 Badminton 2 Basketball 4 Netball 1 Five-a-Side 3 Football 3 Tennis 2 Rugby 1 Cricket Trimtrail Wallbars | 4.4 |
| Public facilities gained | 8 Tennis 4 Hockey 4 Five-a-Side 2 Football 1 Multi-purpose Gym 1 Swimming Pool | 1.4 |



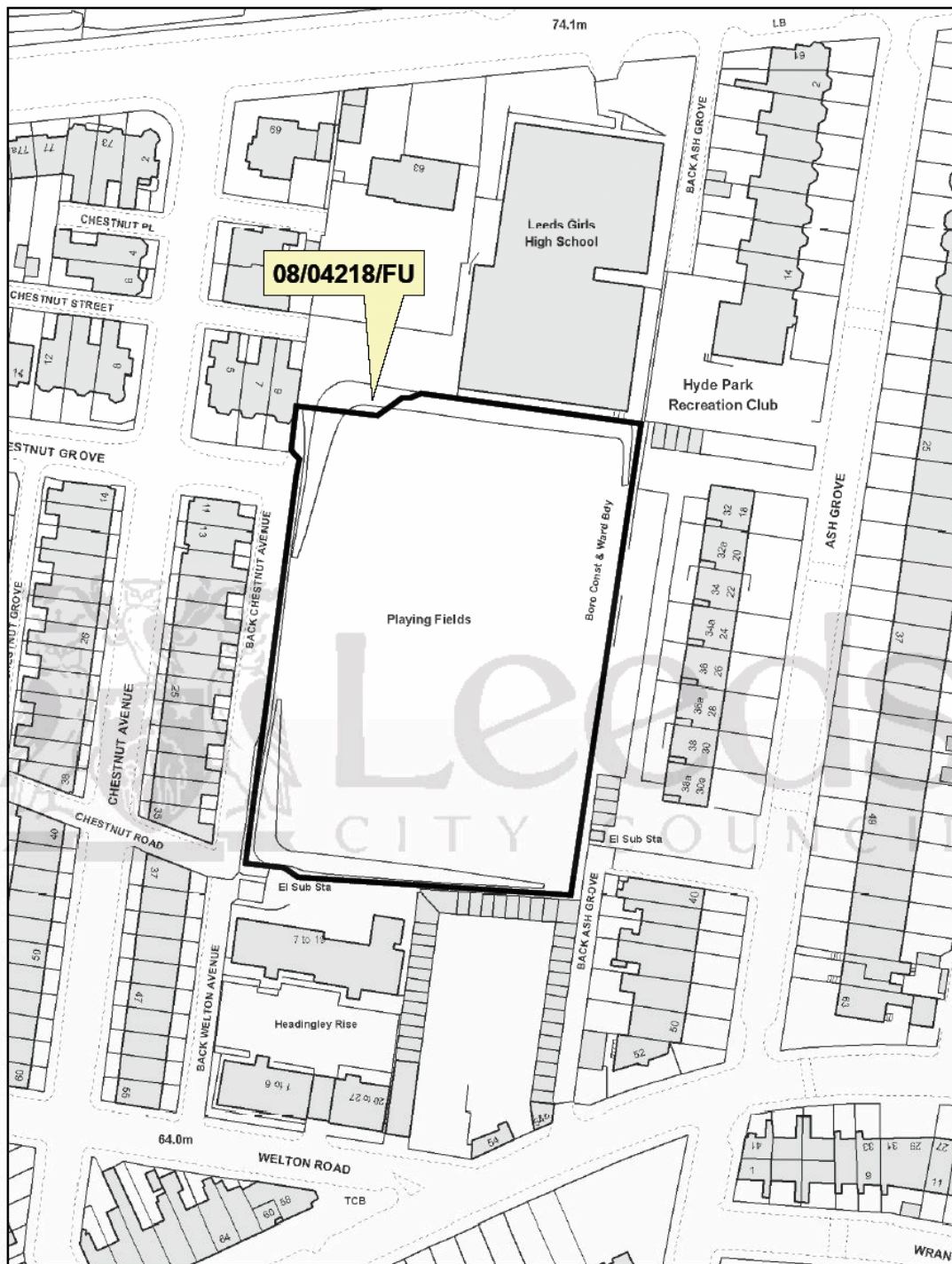
WEST PLANS PANEL



Scale 1/ 2000

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WEST PLANS PANEL



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|-------------|----------------|
| Originator: | Matthew Walker |
| Tel: | 0113 247 8000 |

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 1 October 2009

Subject: APPLICATION 09/03049/FU – Part two storey, part single storey side and rear extension, two storey side extension to other side and single storey front extension to 64 Woodhall Lane, Pudsey, Leeds, LS28 5NY

APPLICANT

Mr B Bajwa

DATE VALID

13th July 2009

TARGET DATE

7th September 2009

Electoral Wards Affected:

Calverley & Pudsey

Ward Member consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT planning permission, subject to the following conditions:

Conditions

- (i) Time limit: 3 years
- (ii) Matching materials
- (ii) External walls and roofing to match existing

Reasons for approval

The application is considered to comply with policies GP5, BD6, T2 and LD1 of the Leeds Unitary Development Plan(Review) 2006, not cause harm to the character of the host dwelling or wider area, nor to residential amenity and having regard to all other material considerations, it is considered that the proposal is acceptable.

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel due to the level of interest from neighbouring residents, the Chief Planning Officer and Councillor Andrew Carter.

2.0 PROPOSAL

- 2.1 The application relates to the addition of a two storey rear extension to the property. This extension is proposed to be 8.3 metres in width, 4.3 metres in projection forming an enlarged family room with bedrooms above. In addition to this the applicant seeks to extend 7.5 metres at two storey level to the eastern elevation of the host property, at two storey level, replacing the existing detached garage with an integral double garage and kitchen with master bedroom above. The applicant further seeks permission to extend at two storey level to the western elevation of the host with this element of the proposed extensions being 5.6 metres in length and projecting 4.5 metres, with no projection beyond the west outer elevation of the existing dwelling. A canopy area is proposed to link this proposed side extension with the proposed rear extension at the southern most point of the expanded dwelling. The application also includes a modest forward projection to the front doorway. The proposal will increase the numbers of bedrooms from 4 to 6, one of which is for a disabled person on the ground floor.
- 2.2 As part of the submitted application, the applicant also sought permission for a stone boundary wall with pillars. This element of the proposal was removed from the application at the request of the applicant with officers unwilling to support the wall in terms of visual amenity and it being the subject of a valid enforcement notice.

3.0 SITE AND SURROUNDINGS:

- 3.1 The application relates to a detached house of stone and render construction which has a complex roof form but is predominantly hipped and of tile construction. The dwellings also features a flat roofed detached garage offset to the east of the host. The property as existing retains generous distances to the eastern and southern boundaries. There are large gardens to all sides with several mature trees forming the outer boundary to the site. The property is on a prominent corner. Although the street scene is mixed the property is of similar height to nearby dwellings, where the dominant feature is for large houses to retain a large garden area to at least one side and to be bounded by either natural planting or natural planting and modest walling.

4.0 RELEVANT PLANNING HISTORY:

Planning Applications

- 08/02917/FU - Part single storey extension with balcony over and part two storey side and rear extension. Two storey extension to other side. New raised roof with rooms in roof space and open porch to front forming 12 bedroom dwelling house. 1.9m high wall with 1m inset railings, pillars and new gates to boundary. This application was refused permission on 15 July 2008.

Appeals

APP/N4720/A/09/2094419 – relating to the above planning application was dismissed 7th May 2009. The Inspector considered that the original house would have been subsumed and made unrecognisable by the proposed extensions and that part of the proposal was unacceptably disproportionate in scale. He did note that the area is characterised by large house in large plots which are similar in scale and mass to the proposal. He thought that the bulk of the dwelling would not be out of place in the area. However, he was concerned about the massing along Woodhall Lane and the loss of spaciousness that this part of the proposal created. He considered that the future health of trees covered by a TPO would be severely threatened by part of the scheme. He thought that the solid sections of the boundary wall detracted from the character and appearance of the area. He concluded that the proposal detracted from the character and appearance of the area.

Enforcement Cases

08/00498/UHD3 – Unauthorised erection of wall - Pending

5.0 HISTORY OF NEGOTIATIONS:

5.1 Pre application discussions – September 2008 – June 2009

Following officer consultation with the Design officer and Area Planning Manager, the applicant was advised that in order to address the reasons for the previous refusal, the applicant should demonstrate a proposed set of extensions that had a lesser impact upon the street scene through utilising the available space to the rear of the dwelling, with the previously refused application involving a large two storey extension to the western side of the host dwelling, which was considered out of keeping with the character of dwellings in the area.

5.2 Application process – August 2009 - present

The application under consideration originally included a proposal to retain the existing boundary wall, which was built without the benefit of planning permission and is the subject of an enforcement case. The applicant was advised the wall was not considered acceptable in respect of the character of the host dwelling and wider area and afforded the opportunity to revise the application and remove this wall from the application description. The application was amended to remove this feature on 28th August 2009, with the applicant stating by letter that they were considering removing the wall as a result of pending enforcement action.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 4 letters of objection have been received from the general public and on behalf of the Woodhall and Rockwood Residents Association. A letter of objection has also been received from Councillor Andrew Carter concerned about the size of the extension. Neighbours have expressed the following concerns in respect of material planning considerations.

The occupants of 4 Rockwood Road express concerns regarding scale, the boundary wall (which no longer forms part of the application under appraisal) and overlooking.

Woodhall and Rockwood Residents Association object with respect to the overall scale of development and the appearance of the boundary wall.

The occupants of 54 Woodhall Lane object to the proposal on the basis that their property does not appear on plan, also objecting to the overall scale of development, overlooking, and the protection of trees plus the appearance of the boundary wall.

The occupants of 34 Woodhall Croft object to the proposal in respect of the proposed scale of development, noise, the loss of the buildings original character and the character of the area and the visual impact of the property when viewed from their garden.

7.0 CONSULTATIONS RESPONSES:

Landscape Team – No objection.

8.0 PLANNING POLICIES:

Policy GP5 of the Leeds Unitary Development Plan (Review) 2006

Seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

Policy BD6 of the Leeds Unitary Development Plan (Review) 2006

All alterations and extensions should respect the scale, form, detailing and materials of the original building

Policy LD1 of the Leeds Unitary Development Plan (Review) 2006

Relates to the preservation of trees and other vegetation, seeking to ensure existing trees are retained in a healthy condition.

Planning Policy Statement 1

Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

9.0 MAIN ISSUES

Streetscene/design and character
Privacy
Overshadowing/Dominance
Parking provision/Highway Safety
Protected Trees

10.0 APPRAISAL

10.1 Streetscene / design and character

The extensions will be constructed of materials to match the host dwelling, namely a combination of stone with render facing, which will be controlled by condition in the event of an approval.

The previously refused application (08/02917/FU) was the subject of an appeal (APP/N4720/A/09/2094419) with the Inspector commenting that the original property would be '*subsumed*' and '*made unrecognisable*' by the proposed extensions. The application now under appraisal features a substantially more broken up roof form, retaining existing roof structures with no part of the proposal exceeding the height of the existing front gable.

The application site is a substantially sized plot measuring approximately 1660 square metres within an area of predominantly detached dwellings, many of which in the immediate locality are of substantial scale and within garden areas of less generous dimensions than the application site in question.

Within the appeal decision, the inspector also noted that the bulk of the extensions (as refused) '*would not look out of place in this area*' but could not be considered acceptable due to the proposed proximity of extensions to Woodhall Lane, with a resulting loss of the sense of spaciousness along this part of the lane and Rockwood Road.

The application under appraisal no longer projects towards the western boundary of the site with Woodhall Lane, instead projecting 8.1 metres to the eastern side where the dwelling benefits from more expansive garden space, retaining 17 metres to the eastern boundary and between 8-21 metres to the southern boundary.

The applicant has proposed a far more broken up form than the previous application, with western outer elevation including both double and single storey elements, the retention of elements of the existing room form, including the front gable end and the loss of unsympathetic features such as the raised rear balcony area and front archway on pillars proposed under 08/02917/FU.

The existing form of the property when viewed from the corner of Rockwood Road and Woodhall Lane remains the dominant visual feature with additional two storey mass either set back from the front of the dwelling or situated to the rear. The outer projection of the extension to the eastern boundary is a nominal 400mm beyond the outer projection of the existing side garage and although two storey mass is now proposed at this point where once a single storey structure stood, the additional 400mm projection is not considered harmful in respect of the host properties' relationship to this side boundary.

The proposed rear extension is set within the site, with only limited viewpoints of this feature afforded from the west of the site thanks to the level of planting and trees to this outer side adjacent to Woodhall Lane. The rear of the application site is subject to high sided boundary treatment which will obscure the bulk of the extension from the view of the dwelling at 54 Woodhall Lane.

Thus; it is considered that the proposal will not be out of keeping as it will not have an unduly detrimental impact on the character or appearance of the original property or the present streetscene.

10.2 Privacy

The proposed rear extension features two windows at first floor level with 14 metres retained to the rear boundary at this point, a boundary which is protected by high sided coniferous planting as such not to afford the applicant a viewpoint of existing dwellings in close proximity. SPG13 – ‘Neighborhoods for Living’ suggests 7.5 metres as an acceptable distance in such circumstances, but this figure should be understood as guidance only.

The proposed side extension, to the eastern side of the dwelling, features one first floor window facing south, to which at least 14 metres are retained to the southern (rear) and eastern (side) boundaries.

Two first floor windows are proposed to the west side elevation of the proposed extensions to which a minimum of 11 metres are retained to the southern boundary and 15 metres to the western boundary, affording a viewpoint of the public highway rather than neighbouring dwellings at this point.

Proposed ground floor windows afford the applicant no extra ability to overlook, with the application site and surroundings featuring no substantial changes in levels and with boundary treatments of sufficient height to prevent overly advantageous outlooks

It is therefore considered that the proposal will not result in any significant overlooking of any neighbouring properties or private amenity space. Thus; the proposal will not be detrimental to the privacy of any neighbouring occupants.

10.3 Overshadowing / dominance

The proposed rear extension is of two storey height. However, the rear elevation of the proposed two storey rear extension retains 9-21 metres to the rear boundary of the site. The potential for impact upon neighbour amenity is further lessened by the high sided coniferous planting which forms the boundary treatment to the southern boundary. With respect to the side extension, a distance of between 12-17 metres is retained to the eastern boundary of the application site. As such, it is considered that no significant loss of light or over-dominance of either of the adjacent properties will occur as a result of the proposed two storey side and rear extensions.

The proposed two storey side or rear extensions are not considered to have a detrimental impact on highway safety or parking at the site. The proposal includes a large integral garage suitable for the storage of two vehicles with space for further cars on the existing driveway to the front of the dwelling. It is therefore considered that the domestic car parking provision at the dwelling will exceed the recommended two off-street car parking spaces per dwelling. Thus; the proposal is unlikely to result in further on-street parking within the locality, which would be detrimental to highway safety.

10.4 Protected trees

On the refusal of the appeal against application 08/02917/FU the inspector noted that *'Part of the western extension would be constructed very close to at least two trees that are protected by a Tree Preservation Order. In my opinion, the future health and development of these trees would be severely threatened by the development. Their loss in their own right would be severely detrimental to the visual amenity of this part of the streetscene which has a verdant appearance'*

The application under appraisal features no outward projection of built mass towards these trees with the applicant instead seeking to exploit the more expansive areas of developable space to the eastern side and rear of the application site.

A consultation with the Landscape Team has yielded no objection to the proposals in respect of protected trees situated to the western boundary of the application site.

11.0 CONCLUSION

11.1 For the reasons outlined in the above report and taking into account all other material considerations it is recommended that planning permission should be approved subject to the aforementioned conditions.

Background Papers:

Application file 08/02917/FU

Inspector's decision APP/N4720/A/09/2094419 dated 7th May 2009

Spg13 – 'Neighbourhoods for Living'

4 letters of objection

Letter from Councillor Andrew Carter



WEST PLANS PANEL



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| | |
|-------------|------------------|
| Originator: | Steven Wilkinson |
| Tel: | 0113 247 8000 |

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 1st October 2009

Subject: APPLICATION 09/03738/FU – Two storey side extension incorporating the formation of basement storage area and raised balcony to the rear at 123 Argie Avenue, Burley, Leeds, LS4 2TG

APPLICANT

Mr A Butler

DATE VALID

25th August 2009

TARGET DATE

20th October 2009

Electoral Wards Affected:

Kirkstall

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

GRANT planning permission, subject to the following conditions:

Conditions

- (i) Time limit: 3 years
- (ii) Matching materials
- (iii) No windows to be located within the south-east side elevation (facing 121 Argie Avenue).
- (iv) The kitchen and bedroom window within the south-east side elevation (facing 121 Argie Avenue) shall be obscure glazed and retained as such
- (v) A 1.8 metre high obscure glazed screen shall be installed and then retained to both side boundaries of the raised balcony.
- (vi) The raised balcony railings shall have a black powder coated finish.
- (vii) The proposed storage areas to the basement and attic areas shall only be used for purposes incidental to the enjoyment of the dwelling house and shall not be used for commercial purposes

Reason for granting permission

In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government guidance and policy as detailed in the Planning Policy Guidance Notes and Statements, and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), and The Development Plan consisting of the Regional Spatial Strategy 2004 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

Policy BD6 (UDP)
Policy GP5 (UDP)

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel as a similar scheme at the same address, which had been the subject of an appeal against non-determination, and which was recommended for refusal at West Plans Panel on 9th July 2009. The Planning Inspector dismissed the appeal. The applicant has now re-submitted a scheme based on the decision of the Inspectorate.

2.0 PROPOSAL

- 2.1 The application relates to the construction of a 4.1 metre wide two storey extension to the side incorporating the formation of a basement storage area, and a 2.0 metre deep raised balcony area to the rear with 1.8 metre high obscure glazed privacy screens to either side. The proposal will be constructed of materials to match the existing dwelling.
- 2.2 The application is similar to the previous planning application (08/05805/FU) which was dismissed at appeal (non-determination) solely due to the proposed rear Juliet balconies having a detrimental impact on the privacy on the adjoining occupants at 125 Argie Avenue. Consequently, the Juliet balconies along with the rear dormer window have been removed from the re-submitted scheme and the Juliet balconies have been replaced with conventional casement style windows.

3.0 SITE AND SURROUNDINGS:

- 3.1 The existing property is a semi-detached dwelling built of brick with a concrete tile roof. The property is two storey's in height to the front elevation and three storey's to the rear, due to a significant change in land levels across the site. The surrounding area is predominately residential consisting of mainly semi-detached and terraced properties of varying size and design, with some maisonettes to the north-west. Beecroft Primary School is located directly to the south-west of the site. The land to the rear of the site is located on a significantly lower level than the existing

hardstanding. The driveway at the property appears to form a shared access with the adjoining dwelling.

4.0 RELEVANT PLANNING HISTORY:

08/05805/FU - Two storey side extension, incorporating formation of basement storage area, dormer window to rear, raised balcony to rear, two Juliet balconies to rear (Appeal against non-determination – Dismissed 19.08.09)

08/04434/FU - Two storey side extension, incorporating formation of basement storage area, dormer window to rear, raised balcony to rear, two Juliet balconies to rear (Refused – 17.09.2008)

08/03999/FU - Two storey double garage to rear and erection of 2m high boundary fence (Refused – 17.09.2008) *Subsequent appeal dismissed on 07.04.09*

06/02964/FU - Two storey side extension (Approved - 22.08.2006)

5.0 HISTORY OF NEGOTIATIONS:

5.1 None under the current application.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 One letter of objection has been received from a neighbouring occupant.

The letter raises the following concerns:

- (i) Business use of the premises.
- (ii) Health and safety.

7.0 CONSULTATIONS RESPONSES:

None.

8.0 PLANNING POLICIES:

- Policy GP5 of the Leeds Unitary Development Plan (Review) 2006 - seeks to ensure that development proposals resolve detailed planning considerations, including amenity.

- Policy BD6 of the Leeds Unitary Development Plan (Review) 2006 - All alterations and extensions should respect the scale, form, detailing and materials of the original building

- Planning Policy Statement 1 - Delivering Sustainable Development (PPS1) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

9.0 MAIN ISSUES

Streetscene/design and character
Privacy
Overshadowing/Dominance
Parking provision/Highway Safety
Representations

10.0 APPRAISAL

10.1 Streetscene / Design and Character

10.1.1 The materials of the proposed two storey side extension are considered acceptable, as they are to match the original dwelling. The size and scale of the extension is also considered to be acceptable as the extension incorporates a setback from the front wall of the property of 500mm at first floor level, with a corresponding lowering of the roofline. Therefore the extension is considered to subordinate the dwelling. The proposal will be located on a higher land level than the neighbouring property at 121 Argie Avenue, which is a bungalow. However; the proposed two storey side extension will be located at a significant angle and over 6 metres at its nearest point from the neighbouring dwelling. As such it is considered that the proposed side extension will not unduly dominate the neighbouring dwelling and adequate visual gaps in the streetscene will also be retained. The proposed side extension will also have a similar appearance in the front streetscene, albeit slightly wider by 250mm to the previously approved planning application (06/02964/FU), which has recently expired, however the application was determined under the same planning guidance and policies as used at the present time. The additional width will have little further impact on the streetscene.

10.1.2 The proposal also incorporates the formation of a raised balcony area to the rear of the dwelling. Numerous similar raised balconies are present to the rear elevations of the neighbouring properties to the south-east, most notably at 121 Argie Avenue, next door. As such it is considered that the balcony will not create an incongruous feature at first floor level within the locality. The addition of two obscure glazed screens is also not considered to compromise the design of the rear balcony.

10.1.3 The previous planning application (08/05805/FU) was presented at Plans Panel on 9th July 2009 and it was resolved that the planning application would have been refused for the following reason if the Plans Panel had the opportunity to do so:

The Local Authority considers that the proposed dormer window, second floor Juliet balconies and window openings to the rear would by reason of their unsympathetic form, appearance and window detailing create incongruous additions which clutter the current rear elevation which is of simple form, to the detriment of the character and appearance of the original property and the present rear streetscene from both long and short distance view points , contrary to policies GP5 and BD6 of the Unitary Development Plan (Review) 2006 and advice contained within PPS1: Delivering Sustainable Development.

However, within the appeal decision notice the Inspector states that a wide variety of window and door openings to the rear of the properties are present within the vicinity of the site as well as an assortment of dormer windows, balconies and decking. He concluded that given the context of the site the previous proposal would not be unduly

out of character and that no material harm would occur. The Juliet balconies and rear dormer window have since been removed from the proposal are not present on the re-submitted scheme. Therefore the rear elevation of the proposal appears less cluttered than previously. Thus, in view of the changes to the scheme and the recent comments relating to the previous, similar planning application by the Planning Inspectorate it is considered that the proposal will not be unduly detrimental to the character or appearance of the original property or the present streetscene.

10.2 Privacy

- 10.2.1 The proposed two storey side extension contains three windows within its side elevation which face the neighbouring property at 121 Argie Avenue. However; the proposed second floor bedroom window and the first floor kitchen window are both secondary openings for the habitable rooms and could be obscure glazed through the use of a planning condition, in order to prevent any loss of privacy to the neighbouring dwelling. The side extension also contains a window at ground floor level within its side elevation. However; the window will serve a storage area, which is not considered to form a habitable room. Furthermore; given the window's location in close proximity to land level of the side garden/driveway area it is considered that no undue potential exists for overlooking. It is therefore considered that the proposed side extension will not be unduly detrimental to the privacy of any neighboring occupants.
- 10.2.2 The proposal also incorporates the formation of a 2 metre deep raised balcony to the rear. However; no significant overlooking of any neighbouring properties or private amenity space at 121 & 125 Argie Avenue will occur, as a 1.8 metre high obscure glazed screen is proposed to each side boundary of the balcony. This screening should also be retained through the use of a planning condition, in order to prevent any overlooking in future years. Furthermore; no residential dwellings are located directly to the rear of the site. The proposal will also be situated over 10.5 metres from the land at Beecroft School at its nearest point. As such it is considered that the raised rear balcony will not be detrimental the privacy of any neighbouring occupants
- 10.2.3 The previous planning application (08/0585/FU) had an appeal against non-determination dismissed because the inspector was of the opinion that the second floor rear Juliet balconies would be detrimental to the privacy of the adjoining occupiers due to their close proximity to the neighbouring bedroom window. The Juliet balconies have been removed from the re-submitted scheme. Consequently; it is considered that the proposal has overcome the previous reason for refusal. Furthermore; the Inspector found no other aspects of the proposal to be unduly detrimental to the privacy of any neighbouring occupants.

10.3 Overshadowing /Dominance

- 10.3.1 The host dwelling is located on a higher land level than the neighbouring dwelling at 121 Argie Avenue. The neighbouring property contains two windows within its side elevation which face the proposed side extension, however neither of the windows appear to be main openings for habitable rooms. The side extension will also be situated approximately 6.5 metres to the north-east of the neighbouring property and at a significant angle to the side windows. Furthermore; it is considered that the proposal will not have a significantly greater impact on the neighbouring property than the previously approved two storey side extension (06/02964/FU), as the proposal is only 250mm wider. It is therefore considered that the proposal will not

have a significant impact on the neighbouring dwelling at 121 Argie Avenue in terms of loss of light or over-dominance.

- 10.3.2 The proposed rear balcony incorporates an obscure glazed screen to its side elevation at first floor level. However; the proposed glazed screen is not considered to unduly dominate or result in a significant loss of light to the adjoining property or private amenity space, as it only extends 2 metres from the rear wall of the property and will be set-in 2.75 metres from the common boundary between the properties. Furthermore; the adjoining dwelling only contains a garage at ground floor level to its rear elevation. Thus; it is considered that no undue potential for loss of light or over-dominance exists as a result of the proposal

10.4 Highway Safety/Parking

- 10.4.1 The proposal will not affect the current car parking provision at the property, as the existing integral garage to the rear will be retained. Additional car parking is also present on the hardstanding to the rear of the dwelling. Therefore at least two off-street car parking spaces will remain at the property. Furthermore; the proposal is unlikely to result in a significant increase in traffic levels or noise given that the garage will serve a residential dwelling. Thus, no adverse highway safety issues resulting from the proposal are foreseen.

10.5 Representations

- 10.5.1 As mentioned previously 1 letter of objection has been received from a neighbouring occupant.

The letter raised concerns regarding :

- (i) Business use of the premises
- (ii) Health and safety

In response:

- (i) Business use of the premises - The applicant has applied for a residential extension and the presence of storage areas within the attic and basement areas is considered to be an appropriate ancillary use for such a property. In addition; if the storage areas were to be used for purposes deemed to be of commercial use then further planning approval would be required. The Councils Compliance team has also recently investigated an allegation of business use at the address. Whilst it was acknowledged that the property was used as an office base for an air conditioning business, it was concluded that the nature and scale of the business did not amount to a material change of use of the dwelling. As such the enforcement case has been closed, as no breach of planning control has occurred.
- (ii) Health and Safety - Issues of health and safety are not considered to be matters for planning consideration as they are dealt with under separate legislation.

11.0 CONCLUSION

- 11.1 For the reasons outlined in the above report and taking into account all other material considerations it is recommended that planning permission should be **approved** subject to the aforementioned conditions.

Background Papers:

Application files - 08/05805/FU, 08/04434/FU, 08/03999/FU, 06/02964/FU

Inspector's Appeal Letter, decision dated 3rd August 2009.

1 letter of objection



WEST PLANS PANEL



Scale 1 / 1000

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Originator: Terry Moran

Tel: 0113 3952110

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 1st October 2009

Subject: APPLICATION 09/02308/FU

**Change of use of former residential home to 12 bedroom house in multiple occupation, with 3 parking spaces, cycle and bin store.
88 Victoria Road, Headingley, Leeds. LS6 1DL**

| APPLICANT | DATE VALID | TARGET DATE |
|----------------------|-------------------|--------------------|
| Triple A Lets | 09/06/2009 | 06/08/2009 |

Electoral Wards Affected:

Headingley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Refuse for the following Reason :

The Local Planning Authority considers that the proposed development will be occupied mainly by students to the detriment of the housing mix in this locality and given the designation of this site within the defined Area of Housing Mix that the proposal would be detrimental to the balance and sustainability of the local community and to the living conditions of people in the area particularly in view of the cumulative effect of the number and concentration of student occupied properties in the locality, contrary to Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1 aimed at developing strong, vibrant and sustainable communities and social cohesion.

INTRODUCTION

This application was considered at the last Plans Panel when Members were not minded to accept the Officer recommendation and instead resolved that the application be refused and a report be brought to the next Panel meeting setting out detailed reasons for refusal based on the Panel's concerns

Members considered the following issues at the last meeting :

- The evidence found on site that the property was already in use as a dwelling and concern that officers had not recently been able to gain access to the building and had no knowledge that the building was already in use
- Whether 12 extra students would have an adverse impact on the availability of family housing and neighbouring properties in the locality
- The reported numbers of vacant existing student properties and the shortage of family housing in Leeds and whether the property would be suitable for sub-division into "town houses" having regard to the wider context of the Conservation Area.
- Noted the applicant had made a dual change of use application to create one 8 bed dwelling and one 4 bed dwelling and commented on the lack of amenity associated to the 4 bed proposal.
- The impact of creating "apartments" which would have different expectations in terms of car parking provision and use.
- Whether the 3 proposed spaces were sufficient and the possibility of creating one further undercroft car parking space beneath the extension

Members expressed the view that this was a retrospective application and contrary to Policy H15 although they acknowledged the need to balance that with the desire to preserve the building as a whole within the Conservation Area. Members concluded that it was important to resist a further use of buildings such as this as HMOs for student occupation particularly in view of the appeal decision on the Glassworks scheme on Cardigan Road .

CONCLUSION

The reason suggested above is therefore recommended to Members based on the reason used on the Glassworks scheme but amended to relate to the scale and location of this proposal.



WEST PLANS PANEL

Scale 1/1500

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Originator: Terry Moran
Tel: 0113 3952110

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 1st October 2009

Subject: APPLICATION 09/02126/FU

Change of use of former residential home to one 8 bedroom house in multiple occupation and one 4 bedroom house, with 3 parking spaces, cycle and bin store.

88 Victoria Road, Headingley, Leeds. LS6 1DL

| APPLICANT | DATE VALID | TARGET DATE |
|---------------|------------|-------------|
| Triple A Lets | 09/06/2009 | 06/08/2009 |

| | |
|--|--|
| <p>Electoral Wards Affected:</p> <p>Headingley</p> <div style="border: 1px solid black; display: inline-block; padding: 2px;">X</div> Ward Members consulted (referred to in report) | <p>Specific Implications For:</p> <p>Equality and Diversity <input type="checkbox"/></p> <p>Community Cohesion <input type="checkbox"/></p> <p>Narrowing the Gap <input type="checkbox"/></p> |
|--|--|

RECOMMENDATION:

Refuse for the following reasons

- 1. The Local Planning Authority consider that occupants of the proposed 4 bed dwelling would be adversely affected by noise and disturbance from the level of activity and intensity of use of the adjoining 8 bed HMO and that the dwelling would have inadequate and unsatisfactory amenity space and as such would be contrary to Leeds Unitary Development Plan Review policies GP5, BD5, H15 and Neighbourhoods for Living SPD.**

- 2. The Local Planning Authority considers that the proposed development will be occupied mainly by students to the detriment of the housing mix in this locality and given the designation of this site within the defined Area of Housing Mix that the proposal would be detrimental to the balance and sustainability of the local community and to the living conditions of people in the area particularly in view of the cumulative effect of the number and concentration of student occupied properties in the locality, contrary to Policy H15 of the Unitary Development Plan and national guidance contained within Planning Policy Statement 1 aimed at developing strong, vibrant and sustainable communities and social cohesion.**

1.0 INTRODUCTION:

This application is brought to the Plans Panel as it relates to the same site as application 09/ 02308. Reference was made at the last Panel to there being this similar application on the same site.

Comment had been made about whether the buildings at 88 Victoria Rd could be converted to a number of dwellings instead of an HMO. The applicants are now seeking determination of this application rather than withdrawing it which they were prepared to do if permission was granted on the previous application.

This application does propose a conversion to two dwellings consisting of a four bedroom house within the rear building on the site ie facing onto Victoria Road and an eight bed HMO in the main part of the building.

The 12 bed HMO proposal was brought forward to Members at last Panel rather than this proposal as Senior Officers had felt that although the two dwelling alternative sought to go some way to address H15 issues it in fact 'fell short' of a satisfactory solution as the applicant was still wishing to pursue student /young people occupation of both parts of the building and thus it would effectively operate like the 12 bed HMO and if in fact the 4 bed dwelling were to be accepted as a dwelling the amenity of the occupants would be seriously adversely affected by the occupation of the adjacent 8 bed HMO. There is also only very a small garden area associated with the 4 bed dwelling.

2.0 PROPOSAL:

2.1 Change of use of former residential home to one 8 bedroom house in multiple occupation and one 4 bedroom house

3.0 SITE AND SURROUNDINGS:

3.1 The application site lies at the junction of Victoria Road and Cardigan Road, occupying a substantial parcel of land within a predominantly residential area. The property has a mock-tudor style and extends across approximately three levels with a complex form having a large cross gable to the Eastern side.

3.2 It was previously occupied as a residential home for the elderly, having consent as such in 1982, prior to which it was occupied as a single detached dwelling.

3.3 The site benefits from a large grassed area to the Western side, fully enclosed by walling and hedging in excess of 2 metres high.

3.4 It is on land within Headingley Conservation Area which historically comprised part of the former Zoological and Botanical Gardens, a loss-making venture which closed in 1858. The bear pit still survives and can be seen nearby on Cardigan Road, having achieved Grade II Listed Building status.

4.0 Relevant Planning History:

4.1 09/02308/FU – Change of use to 12 bed HMO – pending consideration also on this Panel .

4.2 09/02079/CA Conservation application for demolition of boundary wall to form new access to Victoria Road – pending consideration. Although undetermined, the applicant has indicated that he will withdraw that scheme if approval is forthcoming for the application currently before Members, as there will no longer be a need to demolish the wall.

4.3 09/01142/FU – Change of use to 8 bed HMO and 4 bed house. Application Withdrawn.

4.4 26/371/92/FU – Extensions and bedsit to APH – Approved, 29/12/92.

4.5 85/26/00049 – Extension, bedsit to side of APH. Approved, 21/05/95;

4.6 82/26/00444 – Change use of house to APH. Approved, 04/02/83;

5.0 HISTORY OF NEGOTIATIONS

5.1 The current scheme has been significantly amended since receipt following meetings with the applicant and his agent. These changes involve the deletion of a proposed new access involving breaking through the side wall to the property and creating a parking area in the front garden and the creation of a revised parking area to the rear and enlarged amenity space for the 4 bed dwelling , with the rebuilding of a wall to the Victoria Road frontage.

6.0 PUBLIC/LOCAL RESPONSE

6.1 Letters of objection have been received from :

6.11 Ward Councillor Martin Hamilton who objects on the grounds that the proposal does not comply with Policy H15 (Housing Mix) or PPG-15.

6.12 Headingley Renaissance Group, who object on the grounds that the proposal does not comply with Policy H15 and that there is insufficient parking;

6.13 Leeds HMO Lobby who object on the grounds that the proposal does not comply with Policy H15 and that there is insufficient parking;

with seven letters from local residents citing Policy H15, parking and loss of amenity through noise and disturbance.

7.0 CONSULTATIONS RESPONSES

7.1 Statutory Consultations: None

7.2 Non Statutory Consultations:

7.21 Highways DC – consulted 09/06/09; response 29/06/09 – Objections raised on the grounds of inadequate visibility from the proposed new access.;

7.22 Highways DC – reconsulted, 26/06/09, response 22/07/09 - No objection to amended scheme with revised parking layout.

7.23 Mains Drainage consulted 09/06/09 – response 30/06/09 - No objection

7.24 Access Officer – consulted 09/06/09 – response 25/06/09 – No objection.

8.0 PLANNING POLICIES:

8.1 National

PPS-1 – Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

PPS3 Housing – This PPS underpins the delivery of the Government's strategic housing policy objectives with the goal of ensuring that everyone has the opportunity to live in a decent home, which they can afford in a community where they want to live.

PPG-15 - Planning Policy Guidance 15 provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment. It explains the role played by the planning system in their protection.

8.2 Local

The development plan for the whole of the Leeds District is the Leeds Unitary Development Plan (UDP) Review (2006) and Regional and Spatial Strategy. Relevant policies in the Local Development Framework must also be taken into account. Planning proposals must be made in accordance with the development plan unless material considerations indicate otherwise.

8.21 Relevant UDP Policies:

UDP: General Policies: Policy GP5 refers to detailed planning considerations and any loss of amenity.

UDP: Building Design: Policy BD6 refers to the scale, materials, character and design of extensions.

UDP: Conservation Areas: Policies N18-22 seek to preserve and enhance areas designated as Conservation Areas, in order to ensure that not only does no detriment result from any form of built development but also that such development should seek to improve and enhance its setting wherever possible.

UDP: Areas of Housing Mix: Policy H15 aims to strike a balance between the needs of students and family housing in areas by maintaining the quality of housing stock, avoiding undue impact on neighbouring living conditions, remaining in character with surrounding buildings, providing adequate parking and improving available student housing stock.

9.0 MAIN ISSUES

9.1 Design, character and impact on the Conservation Area

9.2 Amenity and living conditions for residents

9.3 Parking

9.4 Area of Housing Mix (Policy H15)

9.5 Summary and recommendation

10.0 APPRAISAL

10.1 Design, character and impact on the Conservation Area.

With reference to the Conservation Area, the proposal does not involve any significant alterations to the outer appearance of the building. There is a re-ordering of the interior of the property so as to make the rooms comply with modern living practices.

There are also some improvements proposed to the existing wall adjacent the bus stop, which are considered of benefit to the Conservation Area character. The application has been amended by re-ordering of parking and access so as not to break through the boundary wall thus retaining an important local feature.

There is concern that multiple occupation of this property with large garden and important trees without management and maintenance in place could result in loss/deterioration of this walled garden area in a prominent corner position which currently makes a significant contribution to the character of the conservation area.

10.2 Amenity and living conditions for residents

The proposal relates to the conversion of the existing building to one 4-bed house and one 8-bed house in multiple occupation. The 8-bed house will benefit from a large landscaped area, lined by mature trees and separated from the highway by a stone wall. The 4 bed house would however be immediately adjacent to the HMO and it is considered its amenity would be significantly affected by the use of that property . The 4 bed house would also only have a very small lawned garden area immediately adjacent to the footpath and with only minimal screening from the parking areas of both properties. Although there is limited amenity space associated with some nearby dwellings, this is considered an unacceptable level of amenity space for a new sizeable (4 bed) potentially family dwelling. It is therefore not considered that the development would result in satisfactory living conditions for future residents of the 4 bed dwelling.

10.3 Parking

The application proposes 3 car parking spaces to serve both houses. Although this appears lower than the standard requirements, Highways have commented that the sustainable nature of the site is such, between several major bus routes and within easy reach of a local railway station, as to be acceptable in this instance.

10.4 Area of Housing Mix (Policy H15)

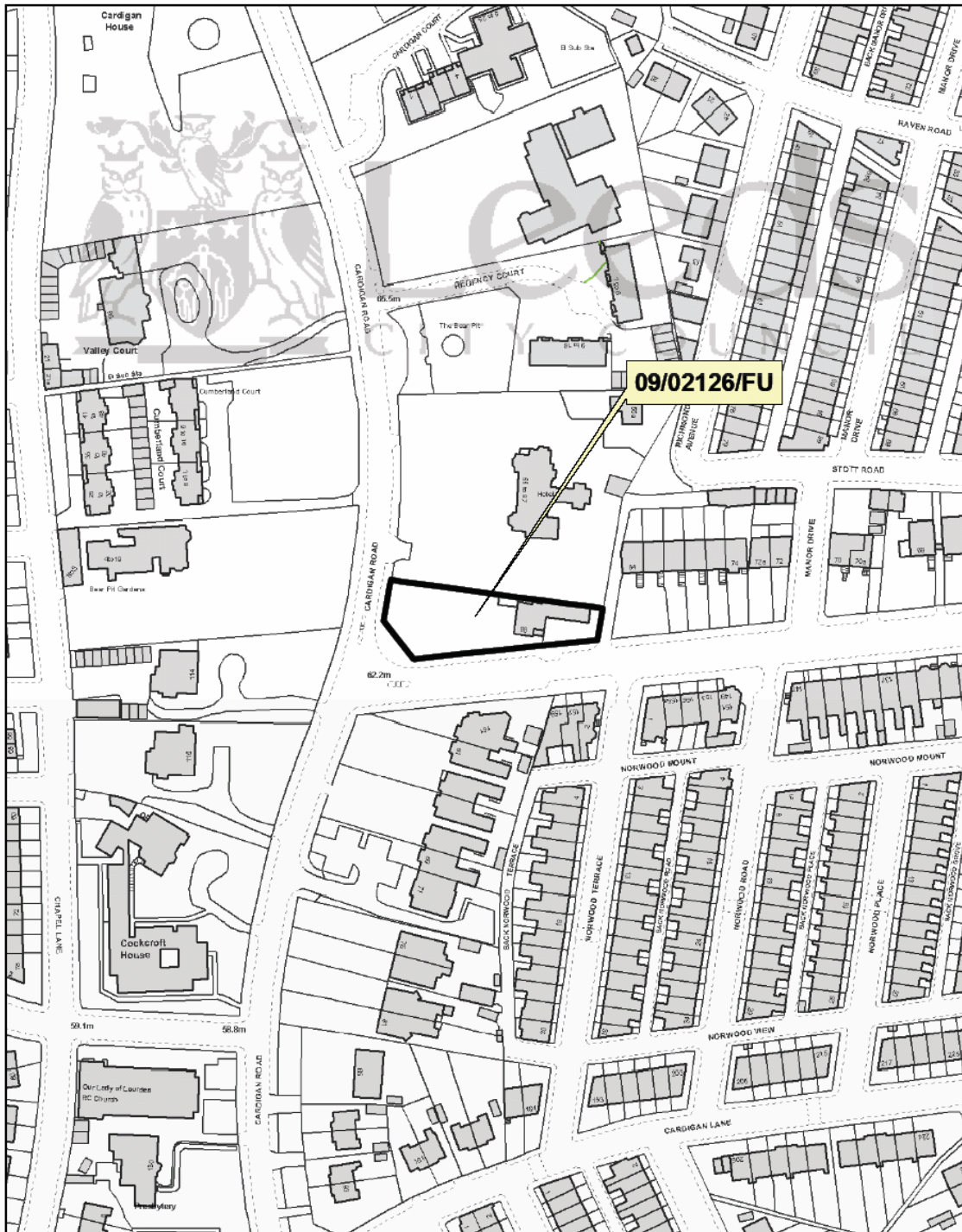
Within the area of housing mix planning permission will be granted for housing intended for occupation by students, or for the alteration, extension or redevelopment of accommodation currently so occupied where:

- i. The stock of housing accommodation, including that available for family occupation, should not be unacceptably reduced in terms of quantity and variety.
- ii. There would be no unacceptable effects on neighbours' living conditions including through increased activity, or noise and disturbance, either from the proposal itself or combined with existing housing similar accommodation;
- iii. The scale and character of the proposal should be compatible with the surrounding area;
- iv. Satisfactory provision should be made for car parking;
- v. The proposal should improve the quality or variety of the stock of student housing.

Officers argued that the 12 bed HMO proposals could comply with these criteria but Members were not in agreement . In this application there is still an 8 bed HMO proposed and the whole development would still be likely to be student occupied. This application would create a 4 bed dwelling and in fact a smaller HMO which could potentially provide a large family dwelling. In terms of the second criteria above however this proposal would mean that occupants of the 4 bed property if used as a house would suffer from the immediate juxtaposition of the HMO property in terms of noise and disturbance.

10.5 Summary and recommendation

On balance, the proposal to convert this large property into a combination of House in Multiple Occupation with separate attached dwelling is one which Officers do not consider acceptable in view of the use of levels of amenity and adverse impacts of the HMO on the adjoining 4 dwelling. A reason for refusal relating to this is recommended together with the further reason relating to the cumulative effects of students as now proposed for application 09/02308 (for the 12 bed HMO). This is also attached if Members do consider that this proposed development would also have an adverse impact on the Area of Housing Mix .



WEST PLANS PANEL



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Originator: Christine Naylor
Tel: 0113 2478020

REPORT OF THE CHIEF PLANNING OFFICER

PLANS PANEL WEST

Date: 1 OCTOBER 2009

Subject: APPLICATION 08/06944/FU

TWO STOREY EXTENSION TO MAIN AIRPORT TERMINAL BUILDING TO PROVIDE NEW ENTRANCE, IMPROVED INTERNAL FACILITIES AND ASSOCIATED LANDSCAPING WORKS TO THE TERMINAL BUILDING FORECOURT AT LEEDS AND BRADFORD AIRPORT, WHITEHOUSE LANE, YEADON, LEEDS, LS19 7TU.

- OUTSTANDING MATTERS AND UPDATE REPORT

| APPLICANT | DATE VALID | TARGET DATE |
|--------------------------------------|------------------|---------------|
| Leeds Bradford International Airport | 23 December 2008 | 20 April 2009 |

Electoral Wards Affected:

Otley and Yeadon
Guiseley and Rawdon
Horsforth

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

MEMBERS ARE ASKED TO NOTE THE CONTENTS OF THIS UPDATE REPORT AND TO AGREE THE OUTSTANDING MATTERS AS SET OUT IN THE REPORT IN RELATION TO;

- (1) THE TERMS OF THE TRIGGER;**
- (2) TRAVEL PLAN; AND**
- (3) CLARIFICATION OF PLANS PANEL INPUT TO CHIEF PLANNING OFFICERS DECISION.**

1.0 PREVIOUS RESOLUTION ON 3RD SEPTEMBER:

- 1.1 An update report on the plans to extend the terminal building was considered at the last Panel arising from matters which Members raised at the July where it was resolved to approve the application subject to resolution of certain outstanding matters .

1.2 At the September meeting further progress was made such that there are now only three remaining outstanding issues to be resolved:

- Firstly, Members did not feel they had sufficient information to deal with the question of how many times the trigger mechanism on highway movements in and out of the airport in the Section 106 agreement could be breached before payment was made and asked officers to bring a further report to the next meeting of the Panel;
- Secondly, Members requested the wording of the Travel Plan to deal with the enforcement of agreed targets be presented to the next Panel meeting for approval, and
- Thirdly, it was agreed that the outcomes of the Steering Group meetings would be reported to Panel prior to submission to the Chief Planning officer (CPO) and Airport Transport Forum but Members requested further clarification of what would happen in the event of a difference of opinion between the wishes of Panel and the CPO .

2.0 THE TRIGGER:

2.1 The overall objective is for the monies agreed in the 106 to become available when the effect of airport traffic on the surrounding highway network hits certain levels (levels that have been agreed between the highway engineers and that derive from the level of mitigation measures already undertaken in relation to the 2005 planning permission).

2.2 The effect on the surrounding roads and junctions of the number of vehicle trips generated by the airport will however differ according to how busy the surrounding network is at the time. Members will be aware that during the summer period traffic flows in the peak hours are in general significantly lower than across the rest of the year and this is accepted nationally .

2.3 The discussions at previous meetings around trigger figures of 44 and 33 were in essence derived from the above logic ie allowing the Airport to exceed the 831 and 1332 traffic flows in peak hours on a number of days in the year—that number relating to the number of weekdays in the summer period –different numbers could obviously be proposed according to how long a summer period was identified.

2.4 This approach derived from the number of relevant days in the summer period but did not in fact require those trigger days actually to be in the summer period .There was some Member comment at the last meeting that if the objective was to relate this to the summer period then why was it not limited to that period.

2.5 We have therefore now sought to simplify this approach by recommending two separate trigger periods :-

- Firstly, --**All of the year except July and August** –across these months the 831 and 1332 flows shall not be exceeded on more than 2 occasions (excluding any Bank Holiday-- when background network traffic levels are also low or exceptional circumstances outside of the control of the airport).

- Secondly, --**during July and August** --a higher trigger figure of 914 and 1465 shall not be exceeded on more than 2 occasions.

2.6 The July and August figures represent a 10% increase on the 831 /1332. This is to reflect the fact that background network figures are significantly lower during this period and thus the effect of the airport traffic will 'not be felt' until there are higher airport traffic flows than in the other months. The higher traffic flow figures do however also now provide a limit on the amount of extra airport traffic in July and August before the monies must be paid . The previously proposed triggers did not do this and thus if airport traffic flows became very high in those months they would not have triggered any payments to mitigate the effects.

2.7 LBIA have now agreed these triggers and Officers strongly recommend to Members that this trigger mechanism is in accordance with the approach agreed in the acceptance of the application proposals and the 106 package and the best way forward to address the trigger mechanism.

3.0 TRAVEL PLAN:

3.1 The LBIA travel plan incorporates target figures for modal shift of passengers and staff at the airport . The proposed targets were acknowledged and agreed by Members at the last Panel, with a required revision to achieve the 2012 target (journeys by other than single occupancy vehicle) for airport company staff in annual stages as below:

- Not less than 10% by end 2010;
- Not less than 20% by end 2011;
- Not less than 30% by end 2012; and
- Not less than 20% using other than single occupancy car by end of 2012 for all other staff employed at the airport

3.2 Members further requested the wording of the Travel Plan to include how targets would be enforced and for this to be presented to the next Panel meeting for approval.

3.3 Discussions are still ongoing with the Airport on this matter and Members will be updated on the latest position at Panel.

3.4 In the first instance it is considered important to achieve and agree target response rates for staff travel surveys as these provide the evidence base for travel planning. Again it is understood to be reasonable to agree different targets for airport company staff and for other companies at the airport in view of the Applicants having direct control of their own staff. The Airport are responding on this.

3.5 In relation to achieving the modal split targets indicated, it has been proposed to the Airport that if targets are not achieved at each stage an action plan would be required to be drawn up (within three months) with practicable measures which demonstrate how the target will be met within a further 3 months with a further survey undertaken at that point to demonstrate compliance. If the target is still not met then a penalty/remedy would be imposed . Discussions are ongoing with the Airport on the penalty/remedy but are not at this stage resolved. Officers had

suggested that a measure that could be agreed to provide both a penalty (in terms of cost to the company) and a remedy, could be for the Airport to provide a minibus to provide travel for staff to and from work.

3.6 LBIA have not accepted this and consider that it would not necessarily provide a satisfactory remedy . They have proposed an alternative suggestion that:-

- All airport staff will be offered the opportunity for free access to existing bus services to LBIA (Leeds, Harrogate and Bradford). These services provide a good geographic coverage and closely reflect shift patterns.
- All new business partners will be asked in their contracts to use all reasonable endeavours to encourage their staff into sustainable modes of transport.
- All new staff will be encouraged through their employment contracts to use all sustainable modes of transport wherever possible.
- There will be an increase in the number of priority car parking spaces for car sharers.

3.7 Whilst these measures are welcomed they are essentially measures which should be employed to achieve the modal shift and not penalties for failing to meet targets .

3.8 The DCLG and Dept of Transport 'Good Practice Guidelines on Delivering Travel Plans through the Planning Process' (Spring 2009) clearly advises that:-

- 'Default mechanisms should be agreed as part of the planning obligations ; they will be the action of last resort ' and that;
- 'Sanctions can include payments, access controls and /or implementation of additional measures, including infrastructure' and that;
- 'Sanctions and payments need to be reasonable'.

3.9 Officers would advise that without being able to suggest a 'bespoke' penalty regime that could be seen of particular relevance/appropriateness to the airport, a similar penalty to that used elsewhere and for other employers could be used. This would be:-- a financial sum is levied in proportion to the shortfall in percentage points from the target figure, related to the total number of employees-- such that if for example only an 8% rather than 10% modal shift is achieved then the agreed sum multiplied by 2% of the total workforce figure is levied. Such monies should then be used to promote further measures aimed at facilitating sustainable travel for the workforce.

3.10 The airport consider that their business is unlike other businesses in that they are a 24 hour operation and feel a much more productive way forward is to work in partnership with the Council on an evolving Travel Plan which is regularly reviewed and updated. They consider that there is already significant incentive to progress the Travel Plan to avoid a financial penalty and that the existing mechanisms in the Section 106 involve substantial payments if modal shift is not achieved during the peak periods. The airport is giving the Council further information on the breakdown of staff working at the airport through the working day.

4.0 CLARIFICATION OF PLANS PANEL INPUT TO CHIEF PLANNING OFFICERS DECISION:

- 4.1 Members asked at last Panel for further clarification of what would happen in the event of a difference of opinion between the wishes of Panel and the CPO in relation to spending of monies from the 106 contributions.
- 4.2 Officers have sought the advice of Colleagues in Legal Services on this matter.
- 4.3 Scrutiny cannot review decisions of the Plans Panel nor those of the Chief Planning Officer and thus any decision made by the CPO in relation to this matter would not be able to be referred to Scrutiny .
- 4.4 Members should however be aware that the CPO will need to make his decision in accordance with the objectives identified for spending the monies as identified in the Section 106 Agreement and that in so doing this would not be at variance from normal procedures of agreeing spending of S106 Agreements .
- 4.5 It was agreed at last Panel that the recommendations of the Steering Group would be referred to Panel before the CPO makes his decision and thus his decision would of course need to have due regard to any comments made by the Panel.

5.0 CONCLUSIONS:

- 5.1 Officers consider that the application can be returned to Panel with progress being made on all the outstanding matters raised by Members.
- 5.2 A further update will be provided at Panel particularly in relation Travel Plan proposals.
- 5.3 There is some real urgency to resolve the outstanding matters and the timing of the project is now critical. Subject to the agreement of the matters outlined above the Section 106 can be concluded which will enable the planning permission to be issued.

Background Papers:

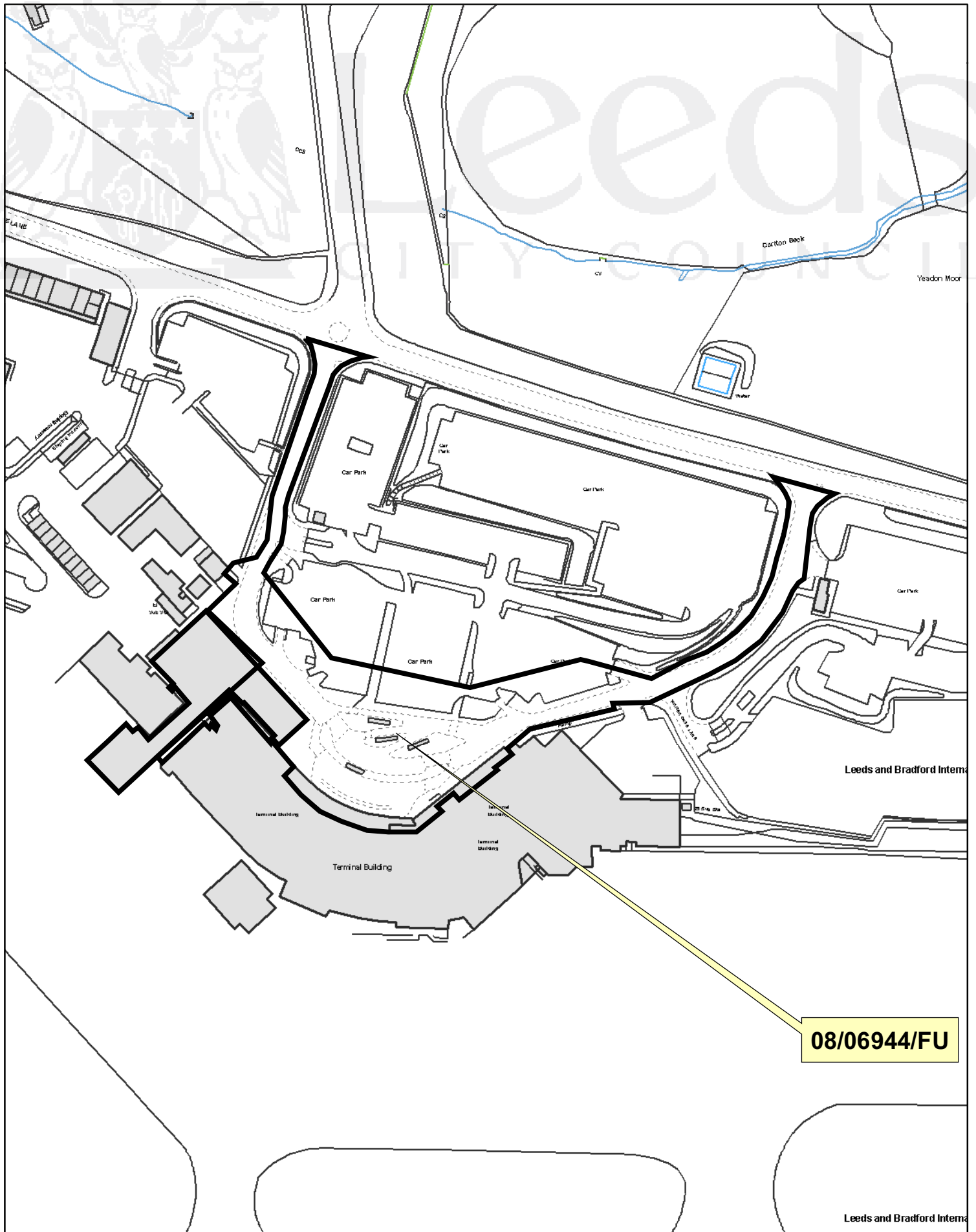
Application and history files.

Plans Panel West - 3 September 2009 Panel Report and Minutes

Plans Panel West - 23 July 2009 Panel Report and Minutes

Plans Panel West – 16 April 2009 Panel Report and Minutes

Certificate of Ownership



WEST PLANS PANEL

Scale 1/2000

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