



PLANS PANEL (WEST)

**Meeting to be held in Civic Hall, Leeds on
Thursday, 26th November, 2009
at 1.30 pm**

MEMBERSHIP

Councillors

M Coulson

C Campbell
(Chair)

S Andrew

T Leadley

J Harper

A Castle

B Chastney

N Taggart

J Matthews

L Yeadon

A G E N D A

Item No	Ward	Item Not Open		Page No
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> <ol style="list-style-type: none"> 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. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- <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>	

Item No	Ward	Item Not Open		Page No
3			LATE ITEMS To identify items which may have been admitted to the agenda by the Chair for consideration. (The special circumstances shall be specified in the minutes)	
4			DECLARATIONS OF INTEREST 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	
5			APOLOGIES FOR ABSENCE To receive any apologies for absence	
6			MINUTES To confirm the minutes of the previous meeting held 29 th October 2009 as a correct record (Copy attached)	7 - 10
7	Headingley;		UPDATE ON ENFORCEMENT MATTERS - 22 SHIRE OAK ROAD, HEADINGLEY, LEEDS, LS6 To consider the report of the Chief Planning Officer updating Members on enforcement matters in relation to 22 Shire Oak Road, Headingley. (report attached)	11 - 16

Item No	Ward	Item Not Open		Page No
8	Horsforth;		<p>APPLICATION 09/03666/FU -DEMOLITION OF CARE HOME AND REPLACEMENT PART 3/4/5 STOREY CARE HOME WITH 39 SELF CONTAINED FLATS, CARE ROOMS, CHAPEL, LOUNGE, DINING AREA, ACTIVITY ROOMS AND FUNCTION ROOM WITH CAR PARKING AND LANDSCAPING, ST JOSEPH'S CONVALESCENT HOME, OUTWOOD LANE, HORSFORTH, LEEDS LS18</p> <p>To consider a position statement by the Chief Planning Officer on an application for demolition of care home and replacement part 3/4/5 storey care home with 39 self-contained flats, care rooms, chapel, lounges, dining area, activity rooms and function room with car parking and landscaping</p> <p>(report attached)</p>	17 - 24
9	Calverley and Farsley;		<p>APPLICATION 09/02707/FU - LAYING OUT OF ACCESS AND ERECT 14 HOUSES, NEW 2 STOREY CLUBHOUSE WITH CHANGING ROOMS AND STAND, ALL WEATHER PITCH WITH FLOOD LIGHTING, 5 GRASS PITCHES, CAR PARKING AND LANDSCAPING AT FARSLEY CELTIC AFC, NEWLANDS, FARSLEY LEEDS, LS28</p> <p>To consider a report of the Chief Planning Officer on an application for laying out of access road and erection of 14 houses, new two storey clubhouse with changing rooms and stand, all weather pitch with floodlighting, 5 grass pitches, car parking and landscaping</p> <p>(report attached)</p>	25 - 36

Item No	Ward	Item Not Open		Page No
10	Horsforth;		<p>APPLICATION 09/03490/FU - TWO STOREY FRONT EXTENSION, PART THREE STOREY PART SINGLE STOREY REAR EXTENSION WITH DECKING OVER LOWER GROUND FLOOR LEVEL AT 19 HENLEY CLOSE, RAWDON, LEEDS, LS19</p> <p>To consider a report of the Chief Planning Officer on an application for two storey front extension, part three storey, part single storey rear extension with decking area over lower ground floor level</p> <p>(report attached)</p>	37 - 44
11	Calverley and Farsley;		<p>APPLICATION 09/03665/FU -DETACHED DOUBLE GARAGE TO SIDE, SINGLE STOREY REAR EXTENSION AND CONVERSION OF EXISTING GARAGE TO HABITABLE ROOM AT 66 CLARA DRIVE, CALVERLEY, LEEDS LS28</p> <p>To consider a report of the Chief Planning Officer on an application for detached double garage to side, single storey rear extension and conversion of existing garage to habitable room</p> <p>(report attached)</p>	45 - 52
12	All Wards;		<p>CORE STRATEGY PREFERRED APPROACH</p> <p>To consider a report of the Chief Planning Officer on the content of the Core Strategy Preferred Approach and to receive a presentation on this from Officers as part of the consultation process</p> <p>(report attached)</p>	53 - 58
13			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Thursday 17th December 2009 at 1.30 pm</p>	

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**Chief Executive's Department**

Democratic Services

4th Floor West

Civic Hall

Leeds LS1 1UR

Contact: Helen Gray

Tel: 0113 247 4355

Fax: 0113 395 1599

helen.gray@leeds.gov.uk

Your reference:

Our reference: ppw/sitevisit/

To:

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

18 November 2009

Dear Councillor

PLANS PANEL (WEST) – SITE VISITS – THURSDAY 26th NOVEMBER 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 09/03666/FU - Position Statement - St Josephs Convalescent Home, Outwood Lane, Horsforth (Meet off Outwood Lane) (Horsforth ward)
- 2 10.45 am Application 09/03490/FU - 19 Henley Close, Rawdon (Meet at house) (Horsforth ward)
- 3 11.20 am 66 Clara Drive, Calverley, Pudsey (Meet at house).(Calverley & Farsley ward)

12 noon Proposed 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) Tel: (0113) 2243421 if you are intending to come on the site visits and meet in the Civic Hall Ante Chamber at 9.45 am

There will also be a pre-application presentation at the meeting. This is in respect of proposals for a Reserved Matters application relating to the demolition and erection of a replacement secondary school – Leeds West Academy (formerly Intake High School)



Calverley Lane Bramley LS13 (Bramley and Stanningley Ward) and I attach a copy of the pre-application report to this letter.

Yours sincerely

Helen Gray
Governance Officer

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26th November 2009

Subject: PRE-APPLICATION PRESENTATION MEMBER BRIEFING NOTE : Proposals for the Reserved Matters application in relation to the demolition and erection of a replacement secondary school at Leeds West Academy (formerly Intake High School), Calverley Lane, Bramley, Leeds, LS13 1AH.

Electoral Wards Affected:

BRAMLEY AND STANNINGLEY

☐

(Ward Members consulted
referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

1.0 INTRODUCTION

- 1.1 An outline application was brought before Members at the Plans Panel meeting of 16th April 2009, where it was resolved to defer and delegate to officers. The outline application sought to establish the principle of development, with all matters reserved. The application was approved on 15th June 2009.
- 1.2 This presentation is intended to provide Members with the detailed proposals that have been emerging, prior to a Reserved Matters application being submitted.

2.0 SITE AND SURROUNDINGS

- 2.1 The existing school buildings have been developed and extended over a period of some time. The core of the school complex is comprised mainly of two-storey flat roofed buildings of mid C20th appearance. Further two and three storey pitched roof buildings have then been added to the north-west and south east sides of the complex in the late C20th. The most recent permanent building obtained planning permission in 2002 and is contained under a large curved roof at the central/main entrance area. Other blocks and temporary classrooms exist to the west of the main complex of buildings. Approximately two-thirds of the site coverage is occupied by playing pitches.
- 2.2 The current main entrance to Intake High School is via an access road from Calverley Lane, at the north eastern corner of the site. The access road is adjacent to an area of land, outside the site, designated as greenspace under Policy N1 of the UDP Review. A pedestrian access also exists from Summerfield Drive, close to the parade of shops.
- 2.3 The area around the site is predominantly residential in character. To the north, the residential properties along Calverley Lane are generally comprised of two-storey semi-detached dwellings of mid C20th appearance. The properties in Ashgrove Mews and Rochester Gardens are of more recent, late C20th appearance and are comprised of two-storey detached and semi-detached dwellings, faced in brick, with slate or tiled roofs. To the west, the site abuts Intake Lane and some immediate dwellings, as well as an electricity sub station. The residential properties on the west side of Intake Lane are predominantly comprised of two-storey, brick faced, semi-detached dwellings, raised above street level. To the south, the site abuts Summerfield Primary School, accessed via Intake Lane. The primary school is predominantly single-storey, faced with brick and contains a mixture of pitched and flat roofs. The area to the rear of the primary school, abutting the high school site, is comprised of a hard surfaced playground and playing pitch. To the east, the site abuts properties on Summerfield Drive, comprised of two-storey semi-detached dwellings of mid C20th appearance.
- 2.4 The site is located just below the ridge on a north facing side of the Aire Valley. Intake Lane, forming the western site boundary, delineates the high point of the site. From the higher parts of the site to the west and south, there are extensive views over the adjacent residential areas out towards open countryside beyond the ring road to the north-west. The low point of the site is located at the north end, to the south of Calverley Lane. As such, there is a significant fall across the site.

3.0 PROPOSAL

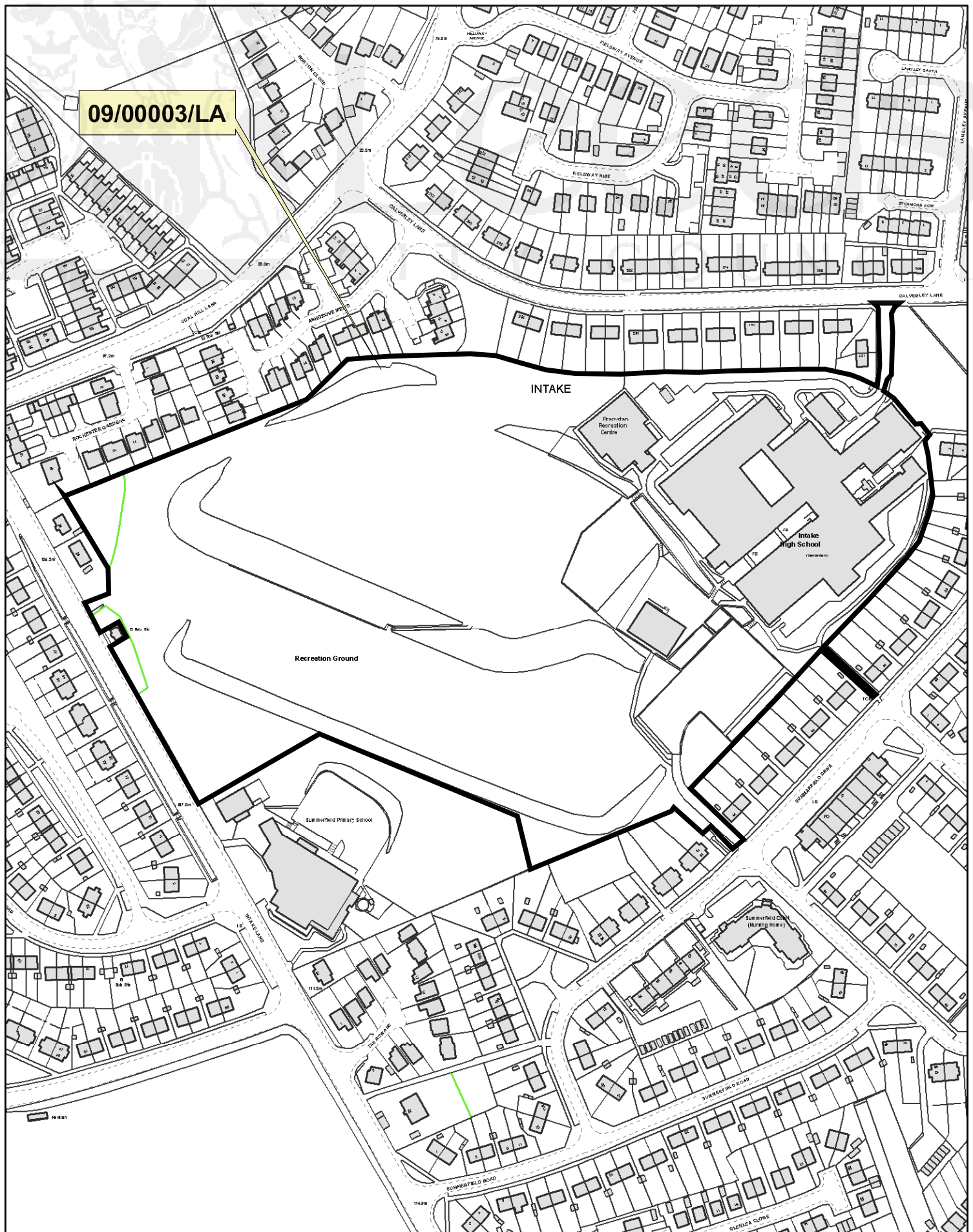
- 3.1 The outline approval provided consent to demolish the existing Leeds West Academy (formerly Intake High School Arts College) and replace it with a new secondary school. The outline consent allowed the development of a new school on the playing fields to the southern side of the site, with a principal access from Intake Lane. The existing school complex will be demolished and the playing field facilities replaced on site.
- 3.2 The scheme forms part of Phase IV of the Leeds BSF (Building Schools for the Future) Programme. Phase IV involves replacing the existing school with a purpose built Academy. It is also anticipated that the school roll will increase from approximately 1000 to 1500 students. The Academy will have 1200 places for students between 11-16 and 300 post 16 places.
- 3.3 The proposed building will contain three 'hubs' – 'Innovation', 'Communication' and 'Diversity', focusing on particular educational uses. The building is arranged over two to three storeys. However, due to the topography of the site, the building will appear much lower when viewed from Intake Lane. As such, it is considered all the more important to create a strong visual presence so that visitors can easily identify the Academy. The principal access for students and visitors will be from Intake Lane and a separate bus turning area and visitor car park is to be provided. The staff car park will continue to be accessed from Summerfield Drive and will also provide parking space for visitors to out of hours events and functions. In addition to the Intake Lane entrance, pedestrian access will also continue to be available from Calverley Lane.

4.0 OFFICER IDENTIFIED ISSUES

- The way that the proposed new school addresses Intake Lane in visual terms, i.e. 'wow factor', creating an interesting piece of development in the street-scene and a building that is enticing for the local community and visitors;
- Visual appearance of the north elevation overlooking the Aire Valley;
- Pallet of materials;
- How the scheme deals with car parking and servicing arrangements, as well as pedestrian access and linkages for students and visitors;
- Sustainable transport modes – a Travel Plan is to be submitted with the application;
- How the proposed building sits within the topography of the landscape and its proximity in relation to nearby residential dwellings;
- How and where the finished scheme provides for the replacement playing pitches.

5.0 BACKGROUND PAPERS

- None



WEST PLANS PANEL

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Scale 1/2500

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PLANS PANEL (WEST)

THURSDAY, 29TH OCTOBER, 2009

PRESENT: Councillor C Campbell in the Chair

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

44 Chairs Opening Remarks

The Chair welcomed all present to meeting and introduced the Panel and Officers to the members of the public in attendance.

Councillor Campbell then went onto make an announcement in respect of Mrs C Naylor, Area Planning Manager (North West Team) as this would be her last Panel meeting prior to her retirement in November.

Members expressed their thanks for her support to Plans Panel West and commended her on her commitment and passionate advocacy of planning in Leeds and extended their best wishes to her for the future.

45 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 A Castle – Applications 09/0208/FU & 09/0209/LI redevelopment at 22 Shire Oak Road declared a personal interest as a member of Leeds Civic Trust. The Civic Trust had commented on the application (minutes 47 and 48 refer)

46 Apologies for Absence

Apologies for absence were received from Councillors Harper and Taggart

47 Minutes

Members discussed the minutes from the previous meeting and requested the following amendments be made

Min 37 - Leeds Girls High School – to delete the references to “prior to formal applications being submitted” and “although no formal applications had been submitted”

Min 39 – 123 Argie Avenue – to correct the second paragraph to read “Officers reported the contents of *two additional letters of representation submitted by the residents of 121 and 125 Argie Avenue received since..*”

Min 42 - Leeds and Bradford Airport –

Under the section “The Panel discussed the following” the second bullet point should read : “*Suggested a trigger figure of 1 in the morning and evening peak hours at any time of the year*”

Draft minutes to be approved at the meeting
to be held on Thursday, 26th November, 2009

Resolution :under Terms of the Trigger - amend "A trigger figure of 1 be set per annum excluding exceptional circumstances outside of the control of the airport where evidence was produced to justify " to read
*"A trigger figure of 1 be set excluding exceptional circumstances outside of the control of the airport where evidence was produced to justify and agreed "
(i.e. apart from agreed exceptional circumstances monies would be payable if the limits of 831 am peak and 1332 pm peak are exceeded once 3.8 mppa is reached)*

Resolution : under Terms of the Trigger – amend "Monitoring to include monitoring of the network to assess background traffic levels, in order for the LBIA to assess whether the airport did cause increase traffic flows" to read
"Monitoring to include monitoring of the network to assess background traffic levels in order for LCC to assess whether the road network does have capacity at particular times to accommodate LBIA traffic without adversely impacting on the highway network"

Resolution : under the Travel Plan

"Travel survey to be undertaken in September/October of each year"

RESOLVED – That subject to the amendments listed above being made, the minutes of the meeting held 1 October 2009 be agreed as a correct record

48 Matters Arising

Minute 37 Leeds Girls High School –

Main School site - Officers reported receipt of all the requested information on proposals for the Main School site however the heads of terms of the Section 106 Agreement were in the process of being formalised and once this had been done local people would be informed and given opportunity to comment further.

Victoria Road site - The planned disposal of the swimming pool had not progressed and therefore the application relating to the Victoria Road site would be brought back for determination at the next Panel meeting

49 Application 09/0208/FU - Change of Use and Alterations of part of kitchen to 1 bedroom flat, 22 Shire Oak Road, Headingley, Leeds, LS6

The Panel considered the report on the application 09/02808/FU in conjunction with the next item on the agenda relating to application 09/02809/LI (minute 50 refers) concerning redevelopment proposals of one wing of a listed building at 22 Shire Oak Road, Headingley.

Site plans, internal layout plans and photographs of the site, current buildings and gardens were displayed at the meeting. Members had visited the site prior to the meeting.

The Panel expressed their regret that the main Listed Building, the subsidiary buildings and the gardens had fallen into a state of disrepair.

Officers reported on the unauthorised works already undertaken on site and the intention to commence enforcement procedures to ensure the Coach

House and the main building were returned to their proper form. It was clarified that a stop notice had not been served as indicated in the report as the owner had stopped work on the Coach House when legal action was threatened.

Officers highlighted the fact that these two applications included conditions which would address several other issues which they regarded as important to the shared amenity of the residents of the site and overall character and appearance of the listed building and structures including:

- Repair and reinstatement of the gate posts at the pedestrian access
- Repair of the feature summerhouse
- Reinstatement of the garden boundary "arcade style" low walling

One further condition was requested to ensure no gates were erected to the vehicular access.

Members further commented on:

- Whether the enforcement action would cover all the matters not included within the conditions on these two applications.
- Welcomed the re-use of the building but were concerned the conditions should be adhered to, and were keen to ensure the future maintenance of the grounds was safeguarded
- Concerned the feature chimney would fall into disrepair again as it was associated with the link building between the wing and the main house and therefore unlikely to be used. Members sought further information on the likely future of the link building to ensure some kind of usage and retention of the chimney
- Noted the trees would be protected within the Conservation Area
- Requested a report on all the enforcement action associated with the site be presented to the next Panel meeting

RESOLVED –

- a) That the application be granted subject to the specified conditions contained within the report plus an additional condition to ensure the vehicular access is not gated.
- b) That a report on the enforcement action associated with the site be presented to the next Panel meeting
- c) That details of the future use of the link building be provided in due course

50 Application 09/02809/LI - Listed Building Application for alterations including conversion of kitchen to One 1 Bedroom Flat at 22 Shire Oak Road, Headingley

The Panel considered the report on the application 09/02809/LI in conjunction with the previous item on the agenda relating to application 09/02808/FU (minute 49 refers) concerning redevelopment proposals of one wing of a listed building at 22 Shire Oak Road, Headingley.

RESOLVED – That the application be granted subject to the specified conditions contained within the report

51 Application 09/03364/FU - Change of Use of Dwelling House to 2 One Bedroom Flats, Highfields, Church Lane, Adel, Leeds LS16

Draft minutes to be approved at the meeting
to be held on Thursday, 26th November, 2009

Site plans, internal layout plans and photographs of the site were displayed at the meeting. It was noted that no external alterations were proposed to the existing dwelling. Consent for similar proposals had been granted in 2003 but not implemented

Officers highlighted 2 main issues for consideration now as

- The separation of a family home with discreet garden into two flats with a shared garden
- The recently adopted Street Design Guide which advised against access for more than 5 homes from an un-adopted highway. 9 homes currently utilised this access route and the LPA would usually defend the policy

Officers however reported this application dealt with specific issues for one family and as such a personal condition was proposed tying the permission for the separation of the dwelling into 2 flats to ensure only for the time that the applicant's daughter occupied one of the flats.

Members did comment that the applicant could choose to separate the dwelling internally without planning permission but did acknowledge that this may not provide the level of privacy required to the residents. Some Members remained concerned that the application did not meet the requirements of the Street Design Guide and following a vote

RESOLVED – That the application be granted subject to the specified conditions contained within the report

52 Application 09/03665/FU - Detached Double Garage to side, single storey rear extension and conversion of existing garage to habitable room, 66 Clara Drive, Pudsey LS28

This application was withdrawn from Panel at the request of the applicant

53 Date and Time of Next Meeting

RESOLVED - To note the date and time of the next Panel meeting as Thursday 26th November 2009 at 1.30 pm



Originator: Susie Watson

Tel: 2224409

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26 November 2009

Subject: 22 SHIRE OAK ROAD, HEADINGLEY – UPDATE ON ENFORCEMENT MATTERS.

Electoral Wards Affected:

Headingley



Ward Members consulted
(Referred to in report)

Specific Implications For:

Equality and Diversity

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Community Cohesion

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Narrowing the Gap

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RECOMMENDATION:

For Members to note the contents of this report and to comment on key issues raised.

1.0 INTRODUCTION:

- 1.1 Members will recall that two applications relating to 22 Shire Oak Road were reported at the last Plans Panel Meeting on 29 October. These applications sought planning permission and listed building consent for the conversion of the east wing of the property to a 1-bedroom flat and were approved. As part of the deliberations it was brought to the attention of Members that a number of unauthorised works had taken place to the buildings and outstanding enforcement issues remained. Members requested that this issue be fully explored with a report presented at the following Plans Panel meeting. The purposed of this report is to therefore provide Members with an update on these issues.

- 1.2 After investigation it appears that the following unauthorised works have taken place:
- The insertion of rooflights in the front and rear roof slope.
 - The insertion of a dormer window in the front roof slope.
 - Removal of ground floor window and insertion of French doors adjacent to single storey east wing.
 - Removal of the external staircase and viewing platform to the coach house.
 - The demolition of the arcaded wall running along the driveway to the north side of the main house.
 - The demolition of the gateposts at the pedestrian entrance.
 - Tree removal.
- 1.2 It is also evident that to the west of the main house lies a curved wall, steps and a summer house, which are also listed in their own right. The summer house is currently in a poor state of repair and essential works are required to ensure that the building is repaired and reinstated to a satisfactory condition. The curved wall contains stone seating and one of the sections has been badly damaged and in need of repair. Again, it is necessary to take appropriate action to ensure that necessary and urgent repair works are undertaken.
- 1.3 It is considered that both the neglect and the unauthorised works mentioned are harmful to such important buildings and the walled structure which are of special character. The unauthorised works are deemed to be harmful as they alter the external appearance of these building and clearly cause harm to their architectural and historic character. It is therefore expedient that appropriate enforcement action is taken.

2.0 SITE AND SURROUNDINGS:

- 2.1 The site lies within the urban area of Headingley within the Headingley Conservation Area. The site comprises of a substantial detached building (constructed in the 1890's) together with two associated outbuildings. The dwelling is Grade II listed 1893 villa, and of red brick construction with a stone slate roof. It is 2.5 storeys in height (plus cellar) and of an irregular shape with a steeply pitched roof. On the eastern side of the dwelling lies a single storey wing. Access to the property is provided via a long drive leading from Shire Oak Road which provides access to all sides of the building.
- 2.2 The larger of the outbuildings in the grounds is a 2 storey mock Tudor 'coach house' which has a flat at first floor level. This property contains garaging / storage areas at ground floor level with a flat over. This is currently unoccupied. This particular building originally had an external staircase on its west elevation. This had been neglected over the years and had fallen into a derelict state and earlier this year the owner removed it and started to build a new staircase.
- 2.3 To the west of the main house lies walls, steps and a summer house dating from 1893. These are listed in their own right. Unfortunately the summer house is now in a derelict state and the walling in front of the north side of the house, which was arcaded, has been demolished in recent times.

3.0 MAIN ISSUES

- Relevant Listed Building Legislation.
- Alleged unauthorised works and enforcement matters and the affect on the character of the listed buildings.
- Proposed remedial action.

4.0 RELEVANT LISTED BUILDING LEGISLATION

- 4.1 Unauthorised works to a listed building is an offence under Section 9 of the Planning (Listed Building and Conservation Areas) Act, 1990.

It is criminal offence to undertake any works for the demolition of a listed building, or for its alteration or extension in a manner which would affect its character as a building of special architectural or historic interest, for which listed building consent has not been granted. Offenders, which can include owners and builders, may be liable to a term of imprisonment or a fine, or both. Consideration must therefore be given as to whether or not a prosecution should be pursued independently of any other action.

- 4.2 The Council can also serve an Enforcement Notice in respect of unauthorised works, specifying the contravention and detailing the steps needed to restore the building to its former state. In relation to the building (Summerhouse) and the adjacent walling, where the neglect has occurred, it is considered that a Section 215 Notice could also be served to ensure the necessary remedial action is carried out.

5.0 PROPOSED REMEDIAL ACTION

- 5.1 Since the last meeting the planning officer has met with colleagues in Conservation, Planning Compliance and Legal and the following notices have been prepared.

- 5.2 Listed Building Notice requiring:

- The removal of the nine roof lights inserted in the front roof pitch of the main house and the making good of the associated holes in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing.
- The removal of the six roof lights inserted in the rear roof pitch of the main house and the making good of the associated holes in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing.
- The removal of the dormer window inserted in the front roof pitch and the making good of the associated opening in the roof, including replacing the rafters, felt and laths and the laying of replacement stone slates to match those existing. The reinstated roof slope may include a small access hatch sited low down (so it is concealed by the existing central balustrade) to provide maintenance access to the roof.
- The removal of the French doors inserted in the rear ground floor of the main house where it adjoins the single storey east wing and its replacement with a window and bricks to match those existing. The original string course shall be reinstated and a timber window inserted with a central glazing bar, to match the window at the top of the external basement stairs on the opposite side of the east wing.

5.3 Listed Building Notice requiring:

- The removal of the breeze block and brick walls constructed on the west elevation of the coach house and the reinstatement of the timber staircase and belvedere together with the pitched brick and timber curtain wall of the same size, design, materials and in the same position as the original staircase.

5.4 Listed Building Notice requiring:

- The arcaded wall and associated steps and pillars to be reinstated, utilising where possible the original bricks and stone copings and steps. Where new materials are required they should match the originals in terms of type, colour, size and materials.

5.5 Listed Building Notice requiring:

- The rebuilding of the original pedestrian gateway utilising the original materials which are on site. Where new materials are required they should match the originals in terms of type, colour, size and materials.

5.6 Tree Replacement Notice.

- Legal advice is awaited with regard to this matter and whether or not such a notice can be served.

5.6.1 Section 215 (Untidy Land) Notice requiring: (Relating to the Summerhouse and the adjacent stone walling)

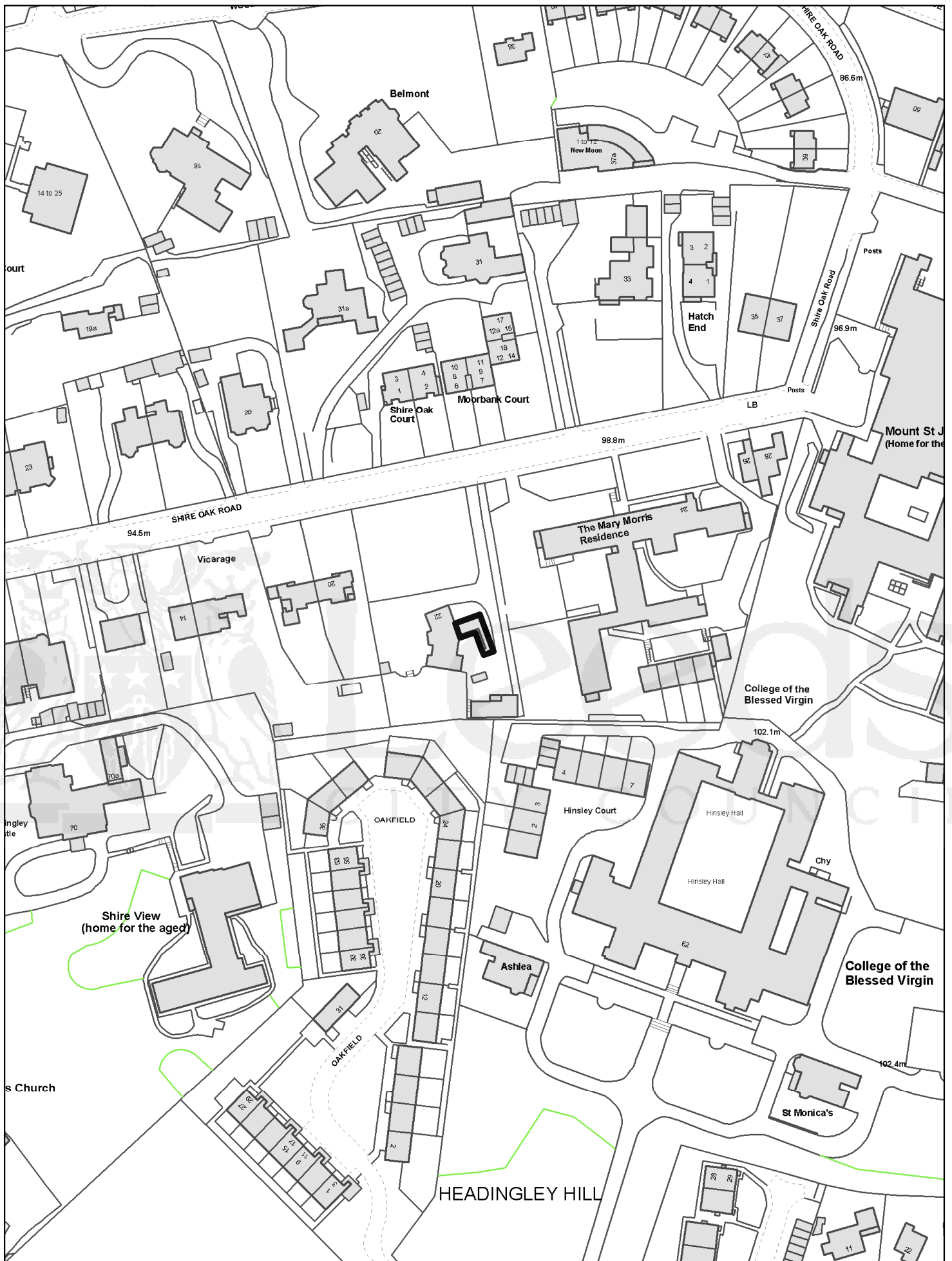
- Repair or replace roof timbers, laths and plaster as necessary.
- Recover the Queen Anne style roof in either lead sheeting or dark coloured felt.
- Repair and refit the original apex finial, or if unavailable, replace with a replica.
- Repair or replace the flashings to the roof covering.
- Repair or replace the gutters and rainwater goods in timber or metal, including suitable treatment and to be painted black.
- Repair or replace and treat as necessary the floor timbers and joists. Any replacements should match the existing in size, design and materials.
- Repair or restore as necessary the original timber benches.
- Repair and restore as necessary all 3 Malins stained glass windows and frames.
- Repair, restore and reinstate the original timber entrance door or provide a replica door.
- Restore the stone seating to the curved wall to match the original

5.7 At the time of writing this report all relevant notices have been prepared. Members will be informed at the Panel meeting of the date these notices were served.

Background Papers:

Application and history files.

Certificate of Ownership.



WEST PLANS PANEL



Scale 1/ 1500

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Originator: Peter Jorysz

Tel: 0113 247 7998

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26th November 2009

Subject: APPLICATION 09/03666/FU – DEMOLITION OF CARE HOME AND REPLACEMENT PART 3/4/5 STOREY CARE HOME, WITH 39 SELF CONTAINED FLATS, CARE ROOMS, CHAPEL, LOUNGES, DINING AREA, ACTIVITY ROOMS AND FUNCTION ROOM, WITH CAR PARKING AND LANDSCAPING.

APPLICANT

Institute of our Lady of Mercy

DATE VALID

21ST August 2009

TARGET DATE

20th November 2009

Electoral Wards Affected:

☒ X

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity ☐

Community Cohesion ☐

Narrowing the Gap ☐

RECOMMENDATION: That members note this progress report and are invited to comment on the main issues highlighted in this report.

1.0 INTRODUCTION:

The application comprises proposals for a significant new building in Horsforth. This report aims to update Panel on progress to date.

2.0 PROPOSAL:

The proposal comprises a full application for the demolition of the existing St. Josephs Care Home and replacement with a new part 3/4/5 storey care home comprising 39 supported and independant living rooms, 21 nursing care rooms, 21 dementia care rooms, chapel, lounges, dining area, activity areas and function rooms. A total of 81 rooms are included. Ancillary parking and amenity space is also provided.

The proposal represents a contrast to the previous Victorian buildings on the site and represents a contemporary design that makes a strong visual statement onto

Outwood lane. The three/four storey elements face adjoining properties and Outwood Lane whilst the four/five storey elements face New Road Side.

The palette of materials comprises dry-stone walling, rough stone and ashlar stone, reflecting some of the natural materials found in the locality.

The proposed car park provides for 28 car parking space with additional provision for ambulance parking and cycle parking, behind the existing boundary wall onto Outwood Lane, which is proposed for retention.

An area of open amenity space (formal and informal) is located to the south of the building, in roughly the same location as the existing area of open space.

3.0 SITE AND SURROUNDINGS:

The site comprises the existing St. Josephs care home which has operated for over 25 years and is an established feature of Horsforth. The site ceased operating c 2 years ago. It is formed by two original stone built Victorian houses with modern 1970's infill and a number of smaller ad hoc extensions. The original Victorian elements are 2/2.5 storeys and the 1970's infill is 2 storey with a flat roof. Access is off Outwood Lane. The site contains an existing parking area off Outwood Lane and a large lower garden area, with a significant number of trees protected by a group TPO.

The site surroundings are of domestic character and scale with a number of large Victorian buildings and some larger modern residential blocks such as Sandywood Court adjoining as well as smaller detached and semi-detached dwellings.

4.0 RELEVANT PLANNING HISTORY:

There is no planning history relevant to this application.

5.0 HISTORY OF NEGOTIATIONS:

The applicant first met the local planning authority on site for pre-application discussion in October 2007. Officers expressed a strong desire to retain the existing Victorian elements although the applicant considered that those elements could not meet current standards. At subsequent meetings the design ethos for the scheme was described that represented a contemporary approach to the site. Officers concluded that a contemporary approach could be supported. However it was advised that although the site is large enough to support a large building, the initial proposals represented overdevelopment of the site, were too close to neighbours and resulted in the loss of too many TPO trees.

Subsequent revisions reduced the footprint to reduce impact on neighbours and TPO trees. A number of highways queries were outstanding on submission. Following submission a further meeting has been held with the applicant requesting further reduction to the footprint, storey heights and top storey. A response is awaited and will be reported to Panel.

6.0 PUBLIC/LOCAL RESPONSE:

Site notices were posted on 1st September 2009 and 27th October 2009.

One representation of support has been received on the basis that the scheme looks interesting and exciting as a plus to the area.

A total of 77 objections have been received from 65 objectors (as at 11th November 2009). Whilst nobody objects to the principal of a care home on the site objections have been made on the following grounds:

- Victorian buildings/and or facade should be retained,
- developers have allowed buildings to deteriorate through lack of security,
- development too intensive,
- footprint much larger than existing,
- reduction from 85-81 beds a mere token gesture,
- form, scale and massing represents overdevelopment,
- scheme designed without sympathy to context, looks like a sixth form college/office/apartment block/spaceship,
- design more suited to city centre,
- no basis for the design as a fish,
- proposal modernist and brutalist in style,
- utilitarian, uninspiring, incongruous,
- Ashlar inappropriate, should be rough sandstone,
- zinc roof/metal cladding inappropriate,
- overbearing monolith appearance on Outwood Lane, overwhelms domestic scale,
- unbroken, faceless back to New Road Side,
- four storey inappropriate cf existing two storey,
- overpowering in relation to adjoining 2 storey properties and Edwardian terraces opposite,
- 4/5 storey impact (visual/loss of light) on ground floor flat adjoining in Sandywood Court,
- devastates outlook for 8A Outwood Lane and results in loss of sunlight, house value,
- roofline at level of chimney pots overshadowing adjoining buildings,
- Horsforth overdeveloped and losing it's identity,
- out of character contrary to UDP policy N12, N13 and GP5.
- reduction of gardens/greenspace on the site,
- traffic generation, in particular in relation to other developments e.g. Kirkstall Forge
- increased traffic on dangerous bend with restricted sight lines, impact on children walking to school,
- traffic from the church could have an impact at key times,
- will result in right-turning queues from New Roadside and Oliver Hill,
- lack of footpath opposite site means pedestrians have to cross twice which is dangerous,
- already problem with residents of Oliver Hill unable to park, will become an overflow car-park,
- Outwood Lane already a rat run,
- junction with Wood Lane dangerous,
- TA disingenuous- no slack and too few spaces, report does not consider peak times, emphasise proximity of bus/cycle routes but not attractive to use, notion that staff visitors staff will arrive by train or bicycle is a nonsense,
- care home fine, but open market flats not,
- not a care home but a nursing home which has higher staffing levels therefore inadequate parking,
- road cannot accommodate large construction and commercial servicing vehicles,
- inadequate parking facilities onsite,
- parking does not provide for shift overlap,
- schedule of condition demonstrates damage not condition,
- should be a second entrance on Oliver Hill,
- should not be a second entrance on Oliver Hill,
- stream across Oliver Hill will be a winter ice hazard,

- problems of water run-off,
- existing footpath must be retained,
- loss of trees,
- no regard to character and appearance of Newlay Conservation Area,
- description as a “care village” inappropriate,
- Loss of light and overlooking to 14 Sandywood Court,
- appears to be no provision for emergency vehicles or taxis,
- proposal fails to take on board comments made by residents at the consultation meeting.

One resident has sent the results of a questionnaire that 150 residents responded to objecting that the scheme is too large and inappropriate. None of the individual responses were attached so there may be some overlap with the original objection letters.

In addition all three ward members have objected. Councillor Cleasby and Townsley on the grounds of overdevelopment, insufficient parking, poor design and massing. Councillor Barker has objected on the grounds of insufficient parking on site and insufficient servicing area.

In addition Councillor Carter has expressed concern on the grounds of size, impact on surrounding communities.

Horsforth Civic Society welcome the concept of a care home but object on the grounds that the proposal is intrusive on the Outwood Lane frontage and out of scale with surrounding properties, inadequate parking.

Horsforth Town Council accept facilities needed but object on the grounds overdominant and unsympathetic/out of character, planned parking inadequate.

Newlay Conservation Area Society request a public meeting.

Leeds Civic Trust object to the demolition. Proposal out of scale and character resulting in the loss of trees. Should occupy existing footprint with more broken roofline.

The local MP, Paul Truswell objects on the grounds that the Victorian buildings should be retained, that the proposal is utilitarian and uninspiring. Incongruous with local environment. Four storeys inappropriate and will dominate the streetscene. Overspill traffic. Impact on Newlay Conservation Area.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Yorkshire Water: No objection subject to conditions.

Non-statutory:

Contamination: No objection, subject to conditions.

Architectural Liaison Officer: No objection, encourages building in accordance with “secured by design.”

Environmental Health: No objections, subject to conditions.

METRO: No objection, request cantilever bus stop shelter.

Landscape: No objection, broad strategy approach supported as designed to provide variety of functional recreation and amenity spaces. Tree planting on New Roadside to be reviewed, More detail of shrub planting required. Boundary wall height needs careful consideration, tree protection fencing to be erected, wildlife features need incorporating, colour of roof finish important, bin store to be relocated.

Design: holding comment - query re plans, mix of material and importance of retaining boundary wall. Verbal response that scheme does not resolve all comments made at pre-application stage. Reduction in scale and breaking up of roof height would be an improvement.

Travelwise: Objection, Travel Plan Framework unacceptable, Full Travel Plan required.

Highways: Objection, concerns re staff shift changes, lack of info on independent living rooms, lack of ambulance/scooter, /motorcycle/cycle parking, lack of level access onto Oliver Hill/New Roadside, unsuitable bib storage facilities, access not to "Street Design Guide" standards, lack of committed sustainable travel plan measures.

Mains Drainage: No objection, subject to conditions.

Nature Conservation Officer: No objection but query re trees with bat roost potential.

Refuse Collection: No objections.

Transport Policy: No objection subject to public transport contribution via a S106 agreement.

8.0 PLANNING POLICIES:

The site is identified within the main urban area as designated in the adopted Leeds UDP (2006) and no other allocations or designations affect the site. Relevant policies include:

GP5: development to resolve detailed planning considerations,

T2: new development to be served adequately from the existing or proposed highway network,

T24: parking standards,

N12: urban design principles inc. spaces between buildings, good design, visual interest.

N13: design of new buildings to be of high quality and have regard to character and appearance of surroundings.; good contemporary design welcomed.

RSS (2008) Policy Y4 introduces the sequential approach with priority to sustainable urban sites such as this.

PPS1 refers to the desire to improve the character and quality of an area (para 13 iv) and enhance the environment (para 19). Design which is inappropriate in its context or fails to take opportunities for improving the character and quality of an area should not be accepted (para 34).

9.0 MAIN ISSUES

1. Principle of Development
2. Replacement of existing buildings

3. Layout/Design
4. Highways
5. Landscape
6. Residential Amenity

10.0 APPRAISAL

1. Principle of Use

The principle of use of the site as a care home is acceptable as the existing lawful use.

2. Replacement of existing buildings

The original advice letter to the JTS partnership confirmed that both the original Victorian elements are attractive and should be retained. At an initial site visit in 2007 the developer confirmed that neither of these elements meet current standards and would fail current regulations controlling care standards; as such redevelopment would be proposed.

The local planning authority has no control over demolition of the Victorian elements (as they are not listed or in a conservation area). As such officers reluctantly agreed to their loss, but only if the resultant proposal was of sufficient merit to outweigh their loss.

3. Layout/Design

At pre-application stage it was agreed with officers that given the size of the site an innovative layout, lending towards a contemporary design approach, could be acceptable if the scale, massing and bulk of the resultant building were appropriate. The pre-application proposal was considered to represent overdevelopment of the site, with unacceptable impact on adjoining properties and trees. A reduction in footprint was sought and the developer reduced the footprint, although not as much as originally requested.

The Design section supports the design ethos and contemporary approach of the proposal, although matters of detail remain to be resolved.

4. Highways

Various highways queries were not responded to at pre-application stage but covered in the Transport Statement submitted with the application. Highways do not consider that those issues have been adequately addressed and have a number of potential concerns that remain unresolved at this time. Discussion is ongoing with the applicant's highway consultant.

5. Landscape

The Landscape Officer considers that if the scale of development is accepted, the landscape strategy is appropriate, although trees along New Road Side need to be reassessed.

6. Residential Amenity

Various concerns in relation to overlooking and loss of light have been made and are under consideration.

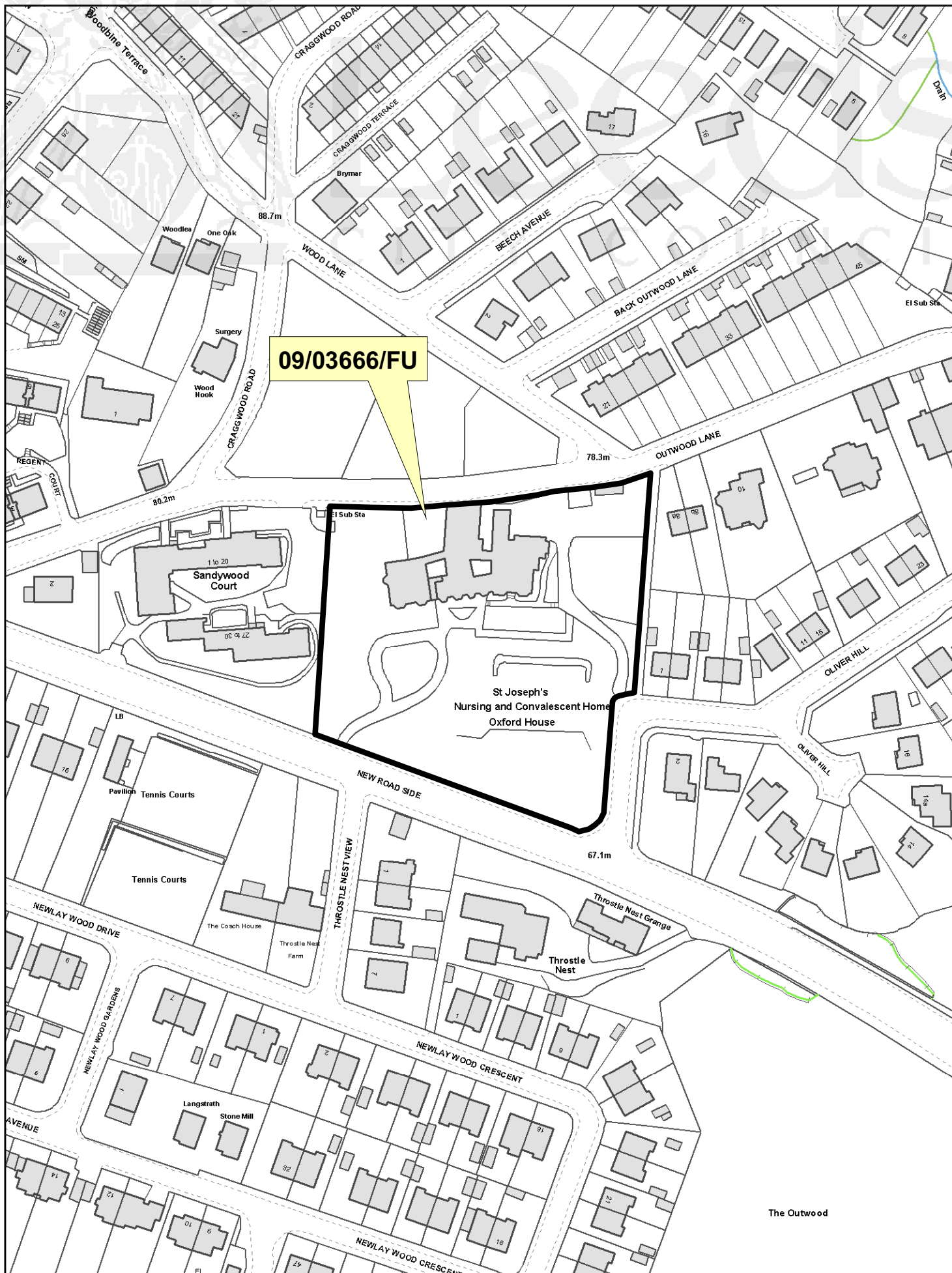
11.0 CONCLUSION

Members are requested to note progress to date and are invited to comment on the main issues in particular:

- a) Is the scale of the building appropriate?
- b) Is the design of the building appropriate and of sufficient quality?
- c) Does the proposal provide sufficient parking?

Background Papers:

Application file ref 09/03666/FU



WEST PLANS PANEL

Scale 1/ 1500



Originator: Peter Jorysz

Tel: 0113 247 7998

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26th November 2009

Subject: APPLICATION 09/02707/FU – LAYING OUT OF ACCESS ROAD AND ERECT 14 HOUSES, NEW 2 STOREY CLUBHOUSE WITH CHANGING ROOMS AND STAND, ALL WEATHER PITCH WITH FLOOD LIGHTING, 5 GRASS PITCHES, CAR PARKING AND LANDSCAPING; FARSLEY CELTIC FOOTBALL CLUB, NEWLANDS, FARSLEY.

APPLICANT

Farsley Celtic Football
Club/Chartford Homes

DATE VALID

24th June 2009

TARGET DATE

23rd September 2009

Electoral Wards Affected:

☒

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

RECOMMENDATION: DEFER AND DELEGATE TO THE CHIEF PLANNING OFFICER TO APPROVE SUBJECT TO NOTIFICATION TO THE SECRETARY OF STATE AS A DEPARTURE, THE FOLLOWING CONDITIONS AND A SECTION 106 AGREEMENT COVERING:

- ON-SITE SPORT AND RECREATION IMPROVEMENTS**
- OFF SITE SPORT AND RECREATION IMPROVEMENTS**
- MANAGEMENT AGREEMENT COVERING PUBLIC ACCESS TO AND COST OF FACILITIES**
- TRAFFIC CALMING CONTRIBUTION**

1. Time limit
2. Wall/Roof Materials
3. Surfacing materials
4. Landscaping scheme
5. Landscape Implementation/Maintenance
6. Landscape Management Plan

7. Tree replacement
8. Car Parking Management Plan
9. Boundary Treatment
10. Areas to be surfaced and sealed
11. Details of ground conditions on land proposed for new pitches.
12. Hours of use
13. Delivery Hours
14. Facilities for storage and disposal of litter
15. Extract ventilation system
16. Provision of grease trap
17. Noise attenuation scheme
18. Acoustic fence
19. Lighting details/restrictions
20. Cease use of existing club on occupation of first unit
21. Details of separate foul and surface water drainage/no piped discharge
22. Limiting surface water run-off to 1 in 100 year critical storm
23. Phase 1/2 Desk to/Site Investigation
24. Remediation Statement
25. Verification Reports
26. No occupation of houses until the 2 new sports pitches have been provided.

1.0 INTRODUCTION:

Members may recall considering a progress report on this application at Plans Panel on 6th August 2009. The application is now brought to Plans Panel for determination because it represents a departure from the housing policies of the development plan, contains complex policy issues and comprises a significant development for the local community.

2.0 PROPOSAL:

Farsley Celtic Football Club has been in debt for many years and the club went into administration in July 2009. They have been seeking to develop proposals that will ensure their long-term future hence this application. This proposal comprises two elements; improvements to the club and residential development of part of their present site.

Improvements to the club:

A new clubhouse immediately to the east of the existing clubhouse and facing the main pitch is proposed. The new clubhouse comprises a total area of 869 sq m (GFA) and will be on two floors compared to the current single storey clubhouse. It will contain changing rooms, storage, offices and a bar area at ground floor level. It will contain function rooms, a servery and viewing area at first floor level. In addition the existing sports centre will be refurbished.

The existing secondary pitch will be improved with drainage works and reseeded with five new five-aside turf pitches along the new southern and eastern boundaries (although only two are to be implemented initially as part of the sports improvement package). Off-site improvements are potentially offered to Brookfield Recreation ground.

The existing entrance car park will be remodeled with 55 spaces and an improved landscaped entrance.

Residential Development:

Fourteen (3 bedroom) houses will be constructed on an area formerly used as a cricket pitch (but currently used for schools football training); accessed from Pavilion Gardens. The houses will comprise brick/render with profiled concrete tiles.

3.0 SITE AND SURROUNDINGS:

The site comprises the current ground of the Farsley Celtic Football Club, is accessed off Newlands and is 800-900m from the centre of Farsley. It comprises 3.68 ha containing an existing clubhouse and pitch, a secondary pitch on the west boundary, the Farsley Recreation Centre with large open car park, and a large area of open space (former cricket pitch) now used for schools football training on the southern boundary and an area of scrubland.

The site is surrounded by two and three storey residential development on Pavilion Gardens to the south, Parkside Walk/New Park View to the west, the Bransby's/Turbary Avenue to the north and Public Open space associated with adjoining Bellway scheme to the east.

4.0 RELEVANT PLANNING HISTORY:

The site has a history of minor applications relating to sport and recreation use which are not relevant to this application.

Members may recall consideration of a previous application (07/05116/FU) at Panel on 21st February 2008 and 20th March 2008. That application also sought to provide significant sports and recreation benefits including a new clubhouse, replacement pitches, refurbished sports hall and additional community use. To fund this, 26 houses and 31 flats were proposed on the former cricket pitch. The application was refused on the following grounds:

- greenfield site.
- loss of a sports pitch in the absence of a full assessment of provision in the locality.
- residential design insufficient quality.
- private gardens substandard.
- proposed car park fails to enhance the adjoining urban green corridor.
- no affordable housing on site and inadequate level of-site.
- no on-site greenspace.
- uncertainty for securing and maintaining recreation provision.

5.0 HISTORY OF NEGOTIATIONS:

Pre-application discussions were held in relation to a different scheme for 27-29 dwellings with a large area of open space to the east. Since submission of the current application for 14 dwellings amendments have been made to the proposed site layout. These comprise improvements to the proposed highways design, relocation of the open space more centrally to the development and increasing the sports improvements by the addition of two new five a side pitches on the eastern boundary.

6.0 PUBLIC/LOCAL RESPONSE:

Site notices were posted on 30th June 2009 and 11th August 2009. A total of two representations of support and three objections (from 2 objectors) have been received (as at 16th November 2009).

The support is given on the basis that the reduced number of homes is welcome, the club must be saved for the benefit of the local community and improvements to the look of the area. The objections are given on the basis of:

- the loss of a playing field,
- loss of area used by youth groups,
- no need for housing,
- parking is an issue on match days,
- overspill of lighting,
- lack of detail of perimeter fencing,
- increased noise levels,
- proposed pitches will not encourage children to be as active as larger pitches,
- overflow parking a problem,
- information on bus routes incorrect

In addition Councillor Carter has commented that the scheme is much improved from the previous proposal and that the matter should be brought to Plans Panel as soon as possible.

7.0 CONSULTATIONS RESPONSES:

Statutory:

Sport England: No objection subject to conditions and a S106 agreement securing the improvements.

Environment Agency: No objection subject to conditions.

Non-statutory:

Highways: No objection subject to conditions, S278 agreement and S106 off-site traffic calming contribution c £21,600.

Parks and Countryside: Support on the basis that there is spare capacity in playing fields in the area and the proposal represents adequate replacement and a net benefit. Impact of loss of club and associated junior sports provision would be massive.

PROW Officer: No objection.

Environmental Health: No objection subject to conditions.

Local Plans/Policy: Little interpretation and analysis of pitch information, a more robust assessment is required. Unclear re extent of playing fields to be improved and not possible to assess whether they are of sufficient benefit to outweigh the loss of the playing field. Commuted sum required for N2:2 and N2: 3 of £7,620.12

Access Officer: Request one additional disabled space and removal of shared surfaces.

Architectural Liaison Officer: No objection but concern re proposed fencing and recess in players tunnel re youth congregating, shrubbery should not exceed 1m.

Landscape: Pitches on eastern boundary should be move to allow for more significant boundary screening.

Yorkshire Water: No objections subject to conditions.

Mains Drainage: No objection.

8.0 PLANNING POLICIES:

Development Plan

The land is designated as a protected playing pitch (Policy N6) and urban green corridor (Policy N8) in the adopted Leeds UDP Review (2006). There are a number of relevant policies as follows:

GP7: Where development would not otherwise be acceptable a planning obligation will be necessary.

H3: Housing land release phase 1 and 2 to include allocated and unallocated sites subject to H4.

H4: Residential development on non-identified sites in the main/smaller urban areas, or in a demonstrably sustainable location, will be permitted provided development is acceptable in sequential terms.

N2: Hierarchy of greenspace.

N4: Provision of greenspace to ensure accessibility for residents of proposed development.

N6: Development on playing pitches not normally permitted unless:

- demonstrable net gain to overall pitch quality and provision by part redevelopment of a site,

- there is no shortage of pitches in the area/the city.

N8: Development should ensure that an existing urban green corridor function of land is retained.

N12/N13: Development should be of high quality and respect spaces between buildings and character.

N23: Incidental open space around new build development to provide visually attractive setting.

T2: Development to be capable of being served by highway network.

T23: Traffic calming will be encouraged in residential areas.

T24: Parking provision.

LT1: Priority given to retention and enhancement of new leisure facilities.

LT2: Fullest use of district's leisure facilities supported.

The RSS (adopted May 2008) introduces a sequential approach to residential development with priority given to previously developed land in urban areas. Relevant policies include:

S1: Achievement of sustainable development .

P1: Development to be located in urban areas and adoption of a sequential approach to meeting development needs, starting with the re-use of suitable previously developed land and buildings within urban areas.

H1: Provision and distribution of housing.

H2: Managing and stepping up of supply and delivery of housing, LPA's to undertake SHLAA's, prioritising housing development on brownfield land.

H3: Managed release of housing land to support the core approach inc. market interventions in east and south Leeds.

YH1: Overall approach to achieve sustainable development objectives, transform regeneration priority areas.

YH4: Focus housing development in regional cities.

YH7: LPA's should allocate sites on the basis of first priority to re-use of previously developed land.

LCR1: Leeds city region should inter alia encourage growth across the south of the city region, particularly within regeneration priority areas and manage growth in the north.

LCR2: Regionally significant investment priorities for the Leeds city region inter alia supporting housing renewal, replacement and growth in the Aire valley south of Leeds and east Leeds.

National Planning Guidance

PPS1 states in para 27 the need to reduce travel by ensuring accessible public transport services. It states in para 13 that development which fails to take opportunities for improving character and quality of an area should not be accepted. Para 18 states that planning should improve the local environment.

PPS3 states that a key objective is that local planning authorities should continue to make effective use of land by re-using land that has been previously developed (para 40) and states that the priority for development should be previously developed land (para 36). Annex B confirms that land such as parks and recreation grounds are greenfield. Para 16 states that good design should be well connected to public transport and community facilities and enable good access to open amenity space.

PPG13 para 13 states that the focus for new development should be existing towns and cities to promote sustainable development. Para 19 refers to a key planning objective as accessibility by public transport.

PPG17 recognises that well planned and good quality sport and recreation facilities can play a major part in improving well being and forming a focus for community activities and social interaction. Para 10 states that open space should not normally be built on unless an assessment has been made of whether the site is surplus to requirements. Para 13 states that equally applications may provide opportunities to “exchange the use of one site for another” and that such substitutes should be at least as accessible and equivalent in terms of size, usefulness, attractiveness and quality. Para 14 confirms that playing fields are not “previously developed land.”

Supplementary Planning Guidance

SPG4 Greenspace relating to new housing development (adopted).

SPG10 Sustainable Development Design Guide (adopted).

SPG13 Neighbourhood's for Living (adopted):

- P30-31 standards for private amenity space,
- P40/41 new development to re-enforce or enhance the positive aspects of the locality,
- P42-43 scale and massing to respect adjacent spaces and context, with well articulated elevations,
- P44-45 landmarks, views and focal points,
- P46-49 quality buildings.

SPG22 Sustainable Urban Drainage (adopted).

SPD Street Design Guide (adopted).

SPD Travel Plans (draft).

9.0 MAIN ISSUES

1. Principle of residential development.
2. Loss and gain of sport & recreation facilities.

3. Layout/Design.
4. Highways
5. Greenspace.
6. Residential Amenity.
7. Section 106 issues.
8. Current Balance of Considerations.

10.0 APPRAISAL

1. Principle of residential development

The site is located within the main urban area and in close proximity to the centre of Farsley (c 800-900 m). It is in walking/cycling distance from this S2 centre and as such constitutes a sustainable location. However, as an existing Sport and Recreation use this comprises a greenfield site under the PPS3/PPG17 definition. RSS Policy P1 and YH7, adopted Leeds UDP (2006) Policy H3 and H4 prioritise development of brownfield sites in existing urban areas formed by regional cities, sub-regional cities and principal towns. PPS3 (par 40) also prioritises development of brownfield sites. As such the proposed residential element of the scheme, on a greenfield site, would conflict with these policies.

PPS3 (para 71) introduces a test for local planning authorities to demonstrate a 5 year housing land supply. A HLS assessment dated 10th December 2008 ("5 Year Housing Land Supply 2008-13 and 2009-14") identified a prospective 5 year HLS deficit of 15% 2009-14 (para 62). Where local planning authorities cannot demonstrate an up to date five year supply of deliverable sites, they should consider favourably applications for housing, having regard to the policies in this PPS including the considerations in paragraph 69. Para 69 requires using land effectively and efficiently (the land is greenfield) and consequently would not be satisfied.

Although a prescriptive PPS3 5 year housing land supply cannot be easily demonstrated, a 5 year supply on a trajectory basis can. It is considered that this approach is more consistent with the intent of RSS in H1Bb and Table 12.2. and the Local Area Agreement. As such it is considered there is no overriding need that justifies the release of a greenfield site for residential development now. This view has been challenged by the Inspector's decision at Green Lea, Yeadon. Officers have a number of concerns regards the Inspector's methodology and will be challenging the decision.

It is concluded that the principle of development on greenfield playing fields such as this would not normally be acceptable. In that context one has to consider whether there any material considerations that outweigh this conflict with development plan housing policies.

2. Loss and gain of sport & recreation facilities

The proposal will result in the loss of a former cricket pitch which in more recent times has been used as a junior football pitch for the training of school football teams.

The Council's Outdoor Recreation Manager has confirmed that it is clear that the existing pitch is surplus to requirements. Previous concerns re the lack of a wider PPG17 assessment of open space are now superceded by the applicant's decision to offer additional replacement facilities (two five a side pitches) on adjoining land. The additional provision of two new pitches to the eastern part of the site now results in an adequate replacement and significant net benefit that removes the previous

Sport England objection. Both Sport England and Parks and Countryside now support the application.

The proposal includes a detailed “business plan” which sets out substantial additional improvements to the sport and recreation function of the site with three new playing pitches on the existing site, improvements to the second pitch, refurbishment and re-use of the under-utilised Farsley Recreation Centre and a brand new clubhouse with an improved and landscaped car park.

In the context of the additional two pitches on land to the east these comprise major benefits which will substantially improve the site both functionally and visually. It is now possible to confirm that the proposal equates to not just equal compensation for the loss of the playing field, but provides a significant net gain. As such it complies with PPG17 para 13) and UDP Policy N6 and the loss of the playing field to development is considered acceptable.

A Section 106 agreement would be required to ensure that the proceeds from the sale of the land for residential development are invested back into these sport and recreation improvements. The applicant has offered a Section 106 agreement with details of funding (totalling £140,000) including the following:

- improved secondary pitch (c £40,000).
- two small grass soccer pitches on site (c £30,000).
- refurbishment of Farsley Recreation Centre with new changing rooms, fully equipped gym, new entrance lobby and redecoration and future maintenance by the club (c £10,000).
- contribution towards upgrading of off-site pitch at Brookfield Recreation Ground (c £33,000).
- agreed hours of usage per week by public/local community and costs of the various facilities.

The new clubhouse (with changing rooms) and three additional five-a-side pitches on the existing site are intended for later development should funds allow. These do not form part of the current package of committed improvements.

3. Layout/Design

The proposal comprises a number of benefits in layout/design terms:

- the existing poor car park at the site entrance is formalised and improved with potential landscaping.
- rationalisation and improvement of layout of sports facilities within the club’s site.
- the proposed club house would provide an attractive, modern design that will improve the visual quality of this site,
- the detached residential units add to the housing mix in the locality.

The proposed houses are not exceptional, but reasonably attractive and clustering round the open space would provide a pleasant environment.

In this context it is considered that the application accords with adopted Leeds UDP Review (2006) policies N12, N13 and N23 and improves the local environment in accordance with PPS1 para 13.

4. Highways

Highways have concluded that the traffic generation from this proposal will have an acceptable impact on the highway network, subject to a contribution to traffic calming

measures in Newlands (c £21,600) consisting of junction plateaus at the Newlands Street/New Street and flat top humps along Newlands. The S106 contains a contribution of £20,000.

The resident objection refers to the issue of overspill parking and parking on match days and a condition is suggested requiring a parking strategy for match days.

5. Greenspace

There is a requirement for 0.056 ha of on-site greenspace under Policy N2 and this is provided as part of the site layout. A commuted sum of £7,620.12 has been requested. The S106 contains a contribution of £7,000.

6. Residential Amenity

Licensing have confirmed that the hours applied for the clubhouse represent what is already agreed in the license and Environmental Health have suggested that conditions should be imposed to cover hours of use and deliveries. The existing secondary pitch is floodlit but as there are no new lighting columns proposed there will be no increase in impact.

Resident objections have been received regarding potential noise and light nuisance. Additional consultation with Environmental Health has resulted in a number of suggested conditions that should adequately control these issues.

7. Section 106/Deliverability issues

The application currently offers a total contribution of £140,000 towards sports and recreation facilities both on-site and off-site listed in section 2 above. This total potentially includes other elements namely traffic calming on Newlands and off-site greenspace. An agreed Management Agreement will be attached to the S106 guaranteeing public access to the facilities and limiting costs.

A further issue that needs assessing is the implication of the club's status in administration for the certainty of deliverability of the sports and recreation benefits via the S106. The Council's solicitors and chartered surveyors advise that the grant of planning permission would not necessarily be sufficient to bring the company out of administration, as the administrator would still be at liberty to sell the club and its assets to the highest bidder. Although a "new" Farsley Celtic company has been set up that has bid for the site, the receiver has advised that football clubs have not been the highest bidder. Consequently whilst the administrator may choose to sell the site to a "new" Farsley Celtic there are no guarantees and members need to bear this in mind in coming to their decision which must be made on planning grounds, not the identity of a particular occupier of the site.

Members previously expressed concern at the deliverability of the proposal. A condition is suggested so that the residential development is not commenced until a contract for all the sports improvements has been let and the two new five a side pitches completed. Also the monies for the sports improvements will go automatically into an ESCROW account to ensure they can only be spent on the named improvements.

On this basis it is considered that deliverability of the proposal can be sufficiently tied down through the S106 agreement and conditions.

8. Current Balance of Considerations

Applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. The local planning authority must therefore weigh up all the various material considerations to come to a decision.

Development of unallocated greenfield sites is contrary to policy H3 of the development plan; although the proposals also comply with other elements namely Policy N6, LT1 and LT2. As the conflict is with a significant policy in the Development Plan it is considered that overall the application is not in accordance with the development plan. The local planning authority must therefore consider whether there are any other material considerations that outweigh this policy conflict.

Retention of a sport and recreation land use on the site is a material consideration. There is significant benefit in maintaining access to sport and recreation to residents of Farsley, and much beneficial work is done by the existing club in the community. PPG17 is clear on the benefits of such uses to local communities. The Council's Parks and Countryside officer has commented this it would be of major detriment to sports provision in Farsley if the use of the site was lost.

It is officers conclusion that the loss of sport and recreation use on this site would be detrimental to the well being of the community, and would also conflict with a number of policies at national and local level especially PPG17 which includes the following objectives:

- supporting urban renaissance. High quality sports and recreation facilities help create safe and clean urban environments,
- social; inclusion and community cohesion,
- healthy living and sustainable development.

We have assessed similar cases considered by Inspectors at appeal. Inspector's often accept that once facilities are lost they are difficult to replace (advice mirrored in para 5.2.6. of the adopted UDP) and where there is a clear risk of a demonstrable deficiency appeals are often allowed. Inspector's also accept that the importance of a club to a local community and advantage of the proposed facilities for the community may outweigh the harm caused by the loss of a playing field.

In this case it is concluded that the risk of loss of this use and the significant sports benefits of the application are material considerations that outweigh the harm to housing policies of the development plan.

The recommendation is finely balanced. It is concluded that the potential loss of the recreational use on this site would be detrimental to the local community and that this application represents an opportunity to encourage the long-term retention of the site in sport and recreation use. Whether any permission would be implemented by a "new" Farsley Celtic Club, or another occupier/operator is speculation at this time. On balance the recommendation is for approval subject to notification as a departure, subject to conditions and a Section 106 agreement.

Background Papers:

Application file ref 07/05116/FU and history file ref 25/483/05.



Scale 1/ 1500

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Originator:	Steven Wilkinson
Tel:	0113 247 8000

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: 26th November 2009

Subject: APPLICATION 09/03490/FU – Two storey front extension, part three storey part single storey rear extension with decking area over lower ground floor level at 19 Henley Close, Rawdon, Leeds, LS19 6QB

APPLICANT	DATE VALID	TARGET DATE
P Dibb	10 th August 2009	5 th October 2009

Electoral Wards Affected:

Horsforth

☒

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 further windows to be located within the side elevations of the front and rear extensions.
- (iv) All windows within the south-west side elevation (facing 7 Henley Avenue) shall be obscure glazed and retained as such.
- (v) Solid screen shall be installed and then retained to the south-west side boundary (facing 7 Henley Avenue) of the proposed rear decking area.
- (vi) The existing hedging and fencing to the side elevations of the site shall be retained at a height of no less than 1.8 metres.

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 Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (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 due to a request from Councillor Cleasby and following an Officer Review by the Area Planning Manager.

2.0 PROPOSAL

- 2.1 The application relates to the construction of a two storey front extension, part three storey part single storey rear extension with decking area over lower ground floor level. The proposal will be constructed of stone with a slate roof, to match the existing dwelling.
- 2.2 The proposed two storey front extension will project 1.5 metres from the front wall of the property and incorporates a lean-to roof design. The rear extension will project 3.7 metres at first floor level and incorporates the formation of a rear gable end. The extension will project a further 800mm at single storey level, with an additional 2.3 metres deep decking area above the lower ground floor level extension to the rear.

3.0 SITE AND SURROUNDINGS:

- 3.1 The existing property is a substantial detached dwelling, constructed of stone with a slate dual-pitched roof. The dwelling is three storey's in height to its front elevation and incorporates an integral garage at lower ground floor level. The property is located at the end of the cul-de-sac and is well set back from the highway to the front. The surrounding area is predominately residential consisting of mainly large detached and semi-detached dwelling of varying scale, design and materials. The streetscene is located on a steep slope generally from north to south. As a consequence the property is located on a significantly higher level than the adjacent dwelling at 7 Henley Avenue and a significantly lower level than the adjacent dwelling at 21 Henley Close. The property has a substantial rear garden area which is well enclosed by fencing and hedging. The property also has an existing small decking area to the rear and a modest porch to the front.

4.0 RELEVANT PLANNING HISTORY:

None.

5.0 HISTORY OF NEGOTIATIONS:

- 5.1 Amendments were requested on 14th September 2009 to indicate a solid screen to be installed to the south-west side elevation of the decking area, in order to prevent any overlooking of the adjacent amenity space at 7 Henley Avenue. Amended plans indicating the aforementioned changes were received on 16th September 2009.

6.0 PUBLIC/LOCAL RESPONSE:

- 6.1 In total seven letters of objection were received from four neighbouring households. An email requesting the planning application to be determined at Plans Panel was also received from Councillor Cleasby.

The letters raised the following concerns:

- (i) Excessive scale of the development.
- (ii) Privacy/overlooking.
- (iii) Loss of light.
- (iv) Over-dominance.
- (v) Impact on the character of the area.
- (vi) Loss of views.
- (vii) Noise levels from the decking area.
- (viii) Accuracy of the plans.
- (ix) Impact on property values/saleability.
- (x) Ancillary disturbances from building work (such as noise, dust and scaffolding)

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.
- SPG: Neighbourhoods for Living: A guide for residential design in Leeds (2003)

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 extensions are considered acceptable, as they are to match the original dwelling. The proposal incorporates the formation of a small two storey extension to the front of the dwelling. The principal of a front extension is considered to be acceptable given that the adjacent dwelling at 21 Henley Close has an existing three storey front extension of substantial scale. The proposed front extension is of sympathetic scale and simple form and will respect the character of the surrounding area. The front extension is also well setback from the highway to the front, which reduces its visual impact. The proposed rear extension is of significant scale and bulk, however the proposal will be situated away from predominant views within the streetscene, and as a result its visual impact on the locality will be minimal. The extension will also be considered to be of acceptable design and will be situated over 2 metres from the side boundary of the site at its nearest point, therefore adequate visual gaps will be retained with neighbouring dwelling. It is noted that the overall scale of the development is significant, however the main character of the area is derived from substantial detached properties within large plots, especially the immediate neighbour at 21 Henley Close. The proposed development will not be out of keeping with this prevailing character. It is therefore considered that the scale of the proposal is on balance acceptable and the proposal will not create a dwelling which is out of proportion with other property in the locality. The proposal is therefore, not considered to be unduly detrimental to the character or appearance of the original dwelling or the present streetscene.

10.2 Privacy

10.2.1 No windows are proposed within the north-east side elevation of the proposed front and rear extensions. As such no significant overlooking of the adjacent property or private amenity space at 21 Henley Close will occur as a result of the extensions. Several windows are proposed within the south-west side elevation of the extension however none of the windows will serve main rooms and the openings also will be obscured glazed, in order to prevent any overlooking of the adjacent dwelling or amenity space at 7 Henley Avenue. No significant overlooking will also occur as a result of the proposed rear decking area given that the neighbouring dwelling at 21 Henley Close sits at a significantly higher level than the host property and a 1.8 metre high closed boarded fence is also present on the common boundary between the dwellings. Additionally; the neighbouring dwelling also has an existing balcony/decked area to the rear which will remain above the balcony/decked area of the application site. The neighbouring dwelling at 7 Henley Avenue is located on a significantly lower level than the host dwelling. The presence of the existing substantial hedge on the common boundary between the dwellings reduces any potential loss of privacy and a 1.8 metre high screen will be present to the side boundary of the decking area also. As such no significant overlooking of any adjacent properties or amenity space will occur as a result of the proposed decking area. No significant overlooking will also occur to the rear of the site as the proposal will be situated over 12 metres from the rear boundary of the site at its nearest point, which complies with the distance recommendations contained within Neighbourhoods for Living (Supplementary

Planning Guidance). It is therefore considered that the proposal will not be unduly detrimental to the privacy of any neighbouring occupants.

10.3 Overshadowing /Dominance

- 10.3.1 The proposed rear extensions increase the ground floor, floor area by approximately 90% and (excluding the Balcony) and increase the 1st floor, floor area by approximately 57% the increase. The volume and massing of the proposal is therefore significant. This perception of excessive massing is reinforced by the fall of the land across the site and from the rear of the property to the end of the garden. However; the garden measures approximately 22 metres at its deepest 20 metres at its shallowest, so even with the extension an acceptable garden depth of 14.7m Max to 12.6min is maintained. The existing rear boundary treatment will also soften the impact of the proposal on the neighbouring dwelling at 12 Henley Drive It is noted that the extension will appear large, however its potential massing effect when viewed from the rear is considered to be acceptable.

The proposed rear extension is of significant scale and projection. However; the rear wall of the existing dwelling is set back considerably from the rear wall of the adjacent property at 21 Henley Close. Consequently; the proposal will not extend beyond the rear wall of the neighbouring dwelling which is also located on a substantially higher land level. Additionally the neighbouring dwelling also contains no habitable room windows within its side elevation. It is therefore considered that the proposal will not result in a significant loss of light or over-dominance of the neighbouring dwelling/private amenity space and any resulting massing impact will be minimal.

The neighbouring property directly to the South of the site (7 Henley Avenue) sits at a much lower level than the application property. However; the dwelling is angled away from the proposed extension and incorporates a substantial rear garden area. At its nearest point the extension would be approximately 4 metres from the boundary and 15 metres from the neighbouring dwelling. At these distances it is considered that the proposal will not have a significant impact on the dwelling or amenity space in terms of loss of light or over-dominance.

Additionally Sun Track diagrams have been plotted for the application premises showing the likely shadowing impact before and after the extension. These diagrams indicate that in both winter and summer there will only be a limited increase in shadowing on the garden of No 21 Henley Close and none on 7 Henley Avenue or 12 Henley Drive, due to the orientation of the host property in relation to its neighbours as the day progresses. It is therefore considered that the proposal will not have a significant impact on any neighbouring dwellings in terms of loss of light or over-dominance.

10.4 Highway Safety/Parking

- 10.4.1 The proposal will result in retention of a substantial integral garage to the front of the property. A substantial area of hardstanding is also present to the front of the property, which is large enough to accommodate at least two vehicles off-street. As such it is considered that the property will retain an adequate off-street car parking provision. Consequently; the proposal is unlikely to result undue pressure for further on-street parking within the locality, which could be detrimental to highway safety.

10.5 Representations

10.5.1 As mentioned previously seven letters of representation were received, all in objection to the proposal. The letter are from four neighbouring households.

The letter raised the following concerns:

- (i) Excessive scale of the development.
- (ii) Privacy/overlooking.
- (iii) Loss of light.
- (iv) Over-dominance.
- (v) Impact on the character of the area.
- (vi) Loss of views.
- (vii) Noise levels from the decking area.
- (viii) Accuracy of the plans.
- (ix) Impact on property values/saleability.
- (x) Ancillary disturbances from building work (such as noise, dust and scaffolding)

In response: Issues (i-v) have been covered within the appraisal above and as a result will not be discussed further.

vi – Loss of views: This issue is not considered to be a matter for planning consideration as there is no right to a view across neighbouring land

vii – Noise levels from the proposed decking area: The issue of excessive noise is covered by separate legislation independent of the planning system. However; no significant increase in noise levels are foreseen as a result of the proposed rear decking area. Furthermore; any impact is not considered to be more significant than from the existing rear decking area.

viii – Accuracy of the plans: One of the neighbouring letters highlighted concerns that the submitted plans were inaccurate. However; on assessment of the proposal no obvious inaccuracies have been encountered. The plans are also considered to be of sufficient quality to assess the potential impacts of the proposal.

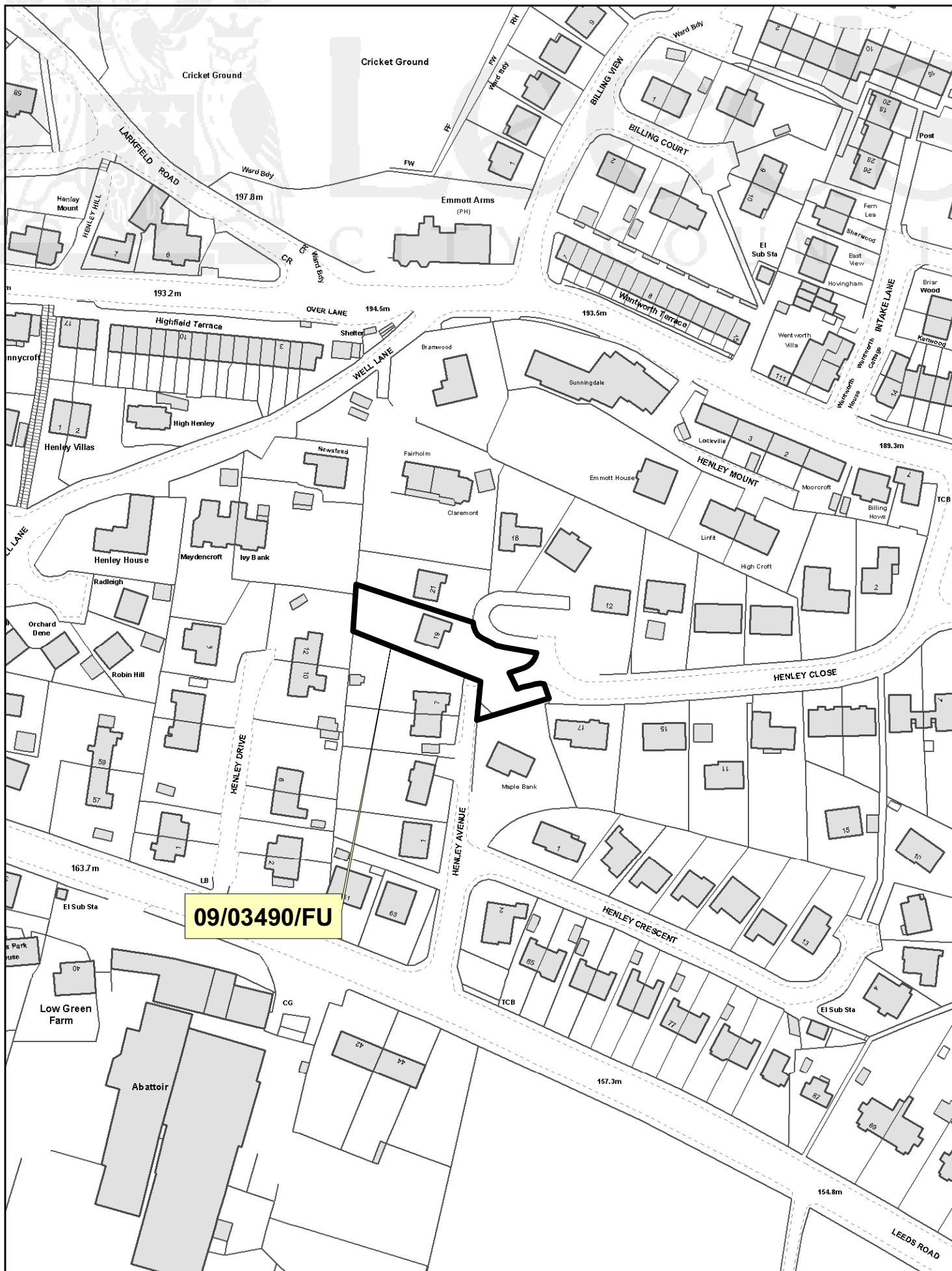
ix – Impact on property values/saleability: Property values or the potential saleability of properties are not matters for planning consideration

x – Ancillary disturbances from building work: - These issues are not considered to be matters for planning consideration.

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: None.



WEST PLANS PANEL

Scale 1/ 1500



Originator:	Matthew Walker
Tel:	0113 247 8000

Report of the Chief Planning Officer

PLANS PANEL WEST

Date:

Subject: 09/03665/FU – Detached double garage to side, single storey rear extension and conversion of existing garage to habitable room, 66 Clara Drive, Calverley, Pudsey, LS28 5QP

APPLICANT

Mr K Wade

DATE VALID

3RD September 2009

TARGET DATE

29th October 2009

Electoral Wards Affected:

Calverley & Pudsey

☒ X

Ward Member consulted

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 detached garage and rear extension by virtue of their size, siting and design are disproportionate additions to the host dwelling, (when considered with the new dwelling as constructed), which introduces an element of sprawl to the site, producing development harmful to the openness of the Green Belt and Special Landscape Area. As no very special circumstances have been demonstrated the proposal is inappropriate development within the Green Belt which contravenes Policies N12 , N33 and N37 of the Leeds Unitary Development Plan (Review) 2006 and advice within Planning Policy Guidance 2 - Green Belts.

1.0 INTRODUCTION

- 1.1 The application is brought to Plans Panel at the request of Councillor Andrew Carter. The application was deferred from the last Plans Panel in order to allow for it be advertised as a departure in the newspaper and on site.

2.0 PROPOSAL

- 2.1 The applicant seeks planning permission for the conversion of the existing integral garage at the dwelling to a habitable room, replacing the existing garage door with a window.
- 2.2 Further to this, the applicant seeks to introduce a new detached double garage, offset from the south western elevation of the dwelling by 2.3 metres. This garage is proposed to feature a dual pitched roof, faced in tile producing a gable to the south-west and north east elevations. The garage is proposed to be 6.5 metres in length, 6 metres wide, and 3 metres to the eaves and 5.5 metres to the ridge of the roof. The garage is proposed to be faced in stone to match the host.
- 2.3 In addition to these proposed changes, the applicant seeks to extend the dwelling to the rear. The applicant proposes to introduce a single storey extension, projecting 3 metres from the existing living room. The extension will be 7.08 metres wide with the existing roof above the living room continuing on to cover the new extension at the same degree of pitch as existing. Coursed stone facing and artificial stone slates, form the proposed materials.

3.0 SITE AND SURROUNDINGS:

- 3.1 The host dwelling is a newly constructed property granted permission in 2007. It forms part of Clara Drive, a secluded street comprising of detached dwellings, set back from the highway, each with their own individual character. This dwelling as constructed features a dual pitch tiled roof with one flat and one pitched roof dormer to the front elevation. A small bay window sits to the side. Both side boundaries are protected by dense planting and/or fencing of various heights. To the rear of the application site lay woodland, with the garden space of the dwelling set right back into this leafy area.
- 3.2 The host dwelling is larger than appears from the highway, with a long projection into the site, but a frontage of limited scale. The dwelling features a raised balcony area that links the front portion of the dwelling to the more elongated rear element. The dwelling features a combination of symmetrically and asymmetrically pitched dual pitched roofs and is constructed of stone.
- 3.3 The dwelling features a large turning/parking area to the front, of suitable dimensions to allow for the off street parking of a number of vehicles whilst still allowing safe access and egress.
- 3.4 The application site is within the Calverley Conservation Area.

4.0 RELEVANT PLANNING HISTORY:

Planning Applications

Reference: 07/01166/FU
Address: 66 Clara Drive
Calverley
Pudsey
Leeds
LS28 5QP

Proposal: Four bedroom detached dwelling with integral single garage to replace existing dwelling and 1.5m high wall and railings to front boundary
Status: Approved
Decision Date: 09-NOV-07

Reference: 09/01348/FU
Address: 66 Clara Drive
Calverley
Pudsey
LS28 5QP

Proposal: Conversion of integral garage to form habitable room, single storey rear extension and double garage to side
Status: Refused
Decision Date: 20-MAY-09

5.0 HISTORY OF NEGOTIATIONS:

5.1 07/01166/FU – Four bedroom detached dwelling, November 2007

The property is set within a defined Special Landscape Area, within a Green Belt Location and within the Calverley Conservation Area and the negotiated approval for the host dwelling itself in (2007) acknowledged that the host dwelling as proposed under 07/01166/FU was, in terms of PPG2, un-acceptable with respect to the percentage increase in cubic volume beyond the dwelling it replaced.

The report for that approval stated that planning histories are material considerations and may act as very special circumstances. Information was submitted by the applicant at the time, showing comparative increases in volume of houses along Clara Drive and on balance, the Local Planning Authority accepted that a replacement dwelling equating to an increase of 87% above the volume of the original dwelling was acceptable. This decision was taken given the previous permissions for extensions along Clara Drive, the previous use of the now defunct policy GB8 (which allowed for increases of up to 100% in the Green Belt) and some examples of Inspectors allowing for a 100% increase on appeal.

5.2 09/01348/FU - Conversion of integral garage to form habitable room, single storey rear extension and double garage to side

Consistent with the approach taken under application 07/01166/FU, the garage structure proposed was considered unacceptable with respect to the previously negotiated approval for the dwelling in situ, introducing a garage with a further 268 cubic metres of volume. Although the extensions proposed under application 07/01166/FU constituted less than 50% of the original volume of the *new* dwelling, they took the volume well above the 100% increase of the previous dwelling and given that the application site is within the Green Belt & Special Landscape Area, where the dwelling as existing is considered acceptable, the introduction of a structure of such size would, be a disproportionate addition, contrary to national and local Green Belt policies.

6.0 PUBLIC/LOCAL RESPONSE:

One letter of support has been received from the occupants of Lantern Cottage, 19 Clara Drive, stating that the site as existing appears as 'lop sided' and that being directly opposite, it is their view of the property/green belt environment that is affected.

Councillor Andrew Carter has also expressed his support for the application.

The application has been advertised as a Departure from the development plan, on site on 3 November 2009 and in the Pudsey Times on 12 November 2009. The expiry date for this publicity is 3 December 2009.

7.0 CONSULTATIONS RESPONSES:

No consultations have been performed during the application process on this occasion.

8.0 PLANNING POLICIES:

National

- | | |
|--------|---|
| PPS1 | This document sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. |
| PPG2 | 'Green Belts' – Green Belts (PPG2) outlines the history and extent of Green Belts and explains their purposes. There is a general presumption against inappropriate development within the Green Belt. Limited extensions may not be inappropriate development within the Green Belt provided that they do not result in disproportionate additions over and above the size of the original building. |
| PPG 15 | Planning and the Historic Environment - in reference to Listed Building Control - Alterations and Extensions. The policy states that in judging the effects of any alteration or extension, it is |

	essential to have assessed the elements that make up the special interest in the building.
Local	
Policy SG2	refers to maintaining and enhancing the character of the District of Leeds.
Policy SG4	refers to ensuring development is consistent with the principles of sustainable development.
Policy GP5	refers to proposals resolving detailed planning considerations (access, landscaping, design etc), seeking to avoid problems of environmental intrusion, loss of amenity, danger to health or life, pollution and highway congestion, and to maximise highway safety. Should have regard for guidance contained in any framework or planning brief for the site or area.
Policy BD6	refers to the scale, form, materials and detailing of an extensions design in respect of the original building.
Policy T2	refers to parking provision
Policy BC7	refers to the required use of traditional local materials.
Policy GB9	replacement dwellings in the Green Belt
Policy N37	Special Landscape Area
Policy N40	Urban Fringe Priority Area
Policy N12	spaces between buildings of importance, new buildings to be good neighbours and respect character and scale of surroundings
Policy N13	building design to be good quality and have regard to the character and appearance of surroundings.
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.

9.0 MAIN ISSUES

Green Belt / Special Landscape
Design, character, detailing and materials
Conservation Area

10.0 APPRAISAL

10.1 Green Belt / Special Landscape Area

The proposal cannot be supported with respect to the impact upon the Green Belt. The property is set within a defined Special Landscape Area and the negotiated approval for the

host dwelling itself in 2007 acknowledged that the host dwelling as proposed was, in terms of PPG2, un-acceptable with respect to the percentage increase in cubic volume beyond the dwelling it replaced.

It was, within the report for that approval acknowledged that planning histories are material considerations and may act as very special circumstances. Cases were submitted by the applicant showing comparative increases in volume along Clara Drive and on balance, the Local Planning Authority accepted the 87% increase as acceptable, given the extant permission for house extensions, previous local employment of the now defunct policy GB8 and examples of inspectors allowing for a 100% increase on appeal.

However, the garage structure proposed here is considered unacceptable, introducing a garage with a further 146 cubic metres of volume. Although the extensions as proposed constitute less than 50% of the original volume of the *new* dwelling, they take the volume well above the 100% increase of the previous dwelling the host now replaces and given that the application site is within the Green Belt & Special Landscape Area. This is of concern within a Special Landscape Area where N37 of the Leeds Unitary Development Plan suggests development is acceptable only where it would not harm the character and appearance of the Landscape and when viewed from the highway, the introduction of a detached outbuilding would somewhat reduce the high scenic value of the trees to the south east of the site. Trees and natural/semi natural woods are identified as Positive Factors within section A26 of the appendices to the Leeds Unitary Development Plan (Review) 2006.

10.2 Design, character, detailing and materials

Despite a lack of acceptability with respect to Green Belt policy, the proposed garage is considered acceptable with respect to design, retaining key features of the host dwelling, such as a coursed stone facing, a slate roof, with art stone quoins to the corners. The visual theme of the host dwelling is retained. The rear extension is proposed in matching materials and is not out of scale with the existing. As such, the proposal is acceptable in this respect but this does not outweigh the points raised in 10.1.

Officers negotiated with the applicant at the time of the application for the replacement dwelling which allowed the applicant to build a dwelling larger than the one it replaced. As described above, the City Council considers that the existence of an extant permission at the original property coupled with the other large extensions on Clara Drive were sufficient to allow a larger replacement dwelling.

Permitted Development Rights were removed as it was felt that no further additions would be allowed as any increase would be considered 'disproportionate additions' and therefore by definition harmful to the Green Belt.

10.3 Conservation Area

The applicant has proposed the use of a set of matching materials to the host property. The host dwelling is a new build property, though care has been taken to employ local materials to reflect the host's place within the Calverley Conservation Area. The replication of these materials within the proposed garage is considered acceptable. The street scene is a mixture of differing house types and styles and there is no single common design theme or set of key features within this section of the Conservation Area for the proposal to deviate from. The proposal is considered acceptable in respect of policies N18-22 of the Leeds Unitary Development Plan (Review) 2006 but is not considered wholly acceptable for reasons relating to the Green Belt context.

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 refused, for the reasons set out above.

Background Papers:

Application files 09/01348/FU, 07/01166/FU

Spg13 – 'Neighbourhoods for Living'

Calverley Conservation Area Appraisal

PPS2 – 'Green Belts'

1 Letter of support

Letter from Councillor Andrew Carter



WEST PLANS PANEL



Scale 1/ 1500



Originator: Robin Coghlan

Tel: 247 8131

Report of the Chief Planning Officer

PLANS PANEL WEST

Date: Thursday 26th November

Subject: CORE STRATEGY PREFERRED APPROACH

Electoral Wards Affected:

All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

☐

Community Cohesion

☐

Narrowing the Gap

☐

EXECUTIVE SUMMARY

1. At Development Plan Panel on 30 September 2008, Members considered the Core Strategy Preferred Approach for informal public consultation.
2. The Preferred Approach sets out a 'spatial vision', strategic objectives and a policy framework within 5 interrelated themes: Green Infrastructure, Sustainable Communities, Managing the Needs of a Growing City, Managing Environmental Resources and A Well Connected City.

RECOMMENDATION:

To receive a presentation on the content of the Core Strategy Preferred Approach and to make comments as part of the consultation process

PURPOSE

- .1 This report and accompanying presentation are intended to brief Members of the Plans Panel on the content of the Core Strategy Preferred Approach and provide opportunity for Members to make immediate comments. In addition, the briefing should equip Members to be able to make further considered written comments during the consultation period if they so wish.

BACKGROUND

- .1 The Core Strategy is the overarching and central document of the LDF process. Recently revised Government guidance (Planning Policy Statement 12: Local Spatial Planning) has reaffirmed and elevated the role of the Core Strategy, both as part of the LDF and as an element of the overall strategic planning across a local authority area (including the need to more explicitly link to the Community Strategy and Local Area Agreements).
- .2 In describing Core Strategies, PPS 12 (Section 4), indicates that they need to provide the following:
 1. an overall vision which sets out how the area and the places within it should develop
 2. strategic objectives for the area focusing on the key issues to be addressed
 3. a delivery strategy for achieving these objectives. This should set out how much development, where, when, and how it will be delivered.
 4. a “key diagram” setting out the strategy in spatial terms
 5. clear arrangements for managing and monitoring the delivery of the strategy.

Strategic Sites

6. Core strategies may allocate strategic sites for development. These should be those sites considered central to achievement of the strategy.

Infrastructure

7. The core strategy should be supported by evidence of what physical, social and green infrastructure is needed to enable the amount of development proposed for the area, taking account of its type and distribution.

MAIN ISSUES

- .1 Section 2 above summarises the key requirements of government guidance, which will need to be addressed in Leeds. These key requirements will also have to be considered in the context of a wide range of policy drivers (included the Vision for Leeds and the adopted Regional Spatial Strategy – 2008), earlier periods of Core Strategy consultation, technical studies as part of the LDF evidence base e.g. Strategic Food Risk Assessment and key strategic priorities of the City Council, including urban renaissance and regeneration, climate change and economic development.

Structure

- .2 A key focus of the emerging Core Strategy is upon the delivery of the Vision for Leeds and related City Council priorities, as a basis to ensure that Leeds continues to develop its role as a successful European city, at the heart of the Leeds City

Region, whilst tackling key issues of deprivation and the need for continued regeneration. Consequently, an important aspect of the Core Strategy, is the need to give strategic planning and spatial expression to these priorities, as part of an integrated and comprehensive approach.

- .3 A starting point for this within the 'Preferred Approach' (Section 4., Vision for Leeds), is therefore to identify the key attributes of a 'successful and thriving city', as a basis to underpin subsequent policy approaches. These attributes are:

- A competitive economy with a skilled labour force
- A healthy and socially inclusive population
- Quality of place and environment
- Innovation and resource efficiency
- Adaptation to climate change
- Resilience to unforeseen impacts
- The delivery of physical and community infrastructure.

- .4 In taking these attributes forward as part of the Core Strategy the following spatial vision is identified, based upon the principles of sustainable development

"For Leeds to be a distinctive, competitive, inclusive and successful city, for the benefit of its communities, now and in the future."

This is then followed by a series of Spatial Objectives, set within 5 interlinked Strategic Themes, grouped as follows:

Leeds A Distinctive Place

- Green Infrastructure
- Sustainable Communities

Shaping the Future

- Managing the Needs of A Growing City
- Managing Environmental Resources
- A Well Connected City

Key Issues

- .5 A central component of the strategy is the desire to give sufficient recognition of the distinctive 'open' and built environment characteristics of the District and the need to manage opportunities for regeneration – through 'place making and 'place shaping' and the needs and phasing of longer term growth. Such objectives also need to be achieved, concurrent with the necessary levels of infrastructure and with a focus upon resilience, in managing the consequences of climate change.
- .6 A major challenge for the Core Strategy, is managing the physical consequences of a successful city. A key focus of the 'Preferred Approach', is to therefore direct the majority of future housing growth and economic development, to previously developed land within the main urban area and major settlements, in key strategic locations including the City Centre and major regeneration areas including Aire Valley Leeds.
- .7 Central to these challenges is the need for the Core Strategy to plan for the city's current and future housing needs. The current condition of the housing market and the economy (and the subsequent rate of recovery) make this especially demanding. The adopted RSS figures for housing growth were set prior to the

economic downturn and prevailing conditions. However, notwithstanding these circumstances, a requirement of the Core Strategy is that it should be in general conformity with the RSS. In seeking to reconcile these difficulties, the emerging Core Strategy sets out (contained within the Housing Challenge section of the Managing the Needs of a Growing City theme), a longer term strategy for the regeneration of the main urban area and major settlements, combined with an approach to manage land release and future phasing. This includes the primary focus upon the main urban areas and major settlements but for longer term need to be met, subject to a plan, monitor and manage approach, through selective use of Protected Areas of Search and Green Belt review, where these are consistent with the overall approach of the Core Strategy and RSS.

- .8 Within the context of the current policy framework, this approach is considered to be realistic and flexible in seeking to deliver regeneration and growth, within priority areas, whilst providing a longer term framework to manage future growth. It should be emphasised within this context, that it is not the role of the Core Strategy to make detailed site specific allocations for housing growth but to set out an overall strategic direction. Detailed allocations for housing and other uses including employment land and greenspace, will be considered through the preparation of a Site Allocations Development Plan Document, following the adoption of the Core Strategy. In the mean time, current Development Plan allocations, have been 'saved' under the transitional arrangements.
- .9 Whilst the Core Strategy Preferred Approach makes provision to meet the housing requirements of the adopted RSS, it should be acknowledge how dramatic the increase in the RSS requirement has been. The requirement for Leeds of the former RSS was 1930 dwellings p.a.; the RSS Draft (Dec 2005) proposed stepping-up figures of 2260 p.a. (2004-16) and 2950 p.a. (2016-21). If Leeds had to plan to meet the latter requirement (45,320 for 2009-26), it could do so comfortably without needing to use any PAS land or review the Green Belt.

Delivery

- .10 An important dimension of the Core Strategy and a developing priority of the Department of Communities and Local Government (CLG), is the need to prepare an Infrastructure Plan to support delivery. The 'Preferred Approach' makes a number of cross references to delivery but whilst detailed delivery plans for a number of regeneration areas including Aire Valley Leeds are being developed, the preparation of a specific "Infrastructure Plan" for the Core Strategy is at an early stage. The preparation of such a plan is complex (likely to incorporate the requirements and operation of the "Community Infrastructure Levy") and will in turn be influenced by the consultation response to the 'Preferred Approach', together with ongoing infrastructure planning work at a sub regional and city regional level. In taking the Infrastructure Plan forward, the City Council is currently in discussion with CLG for additional resource to support this process.

Timetable

- .11 The overall timetable for the preparation of the Core Strategy is as follows:
- Informal consultation on emerging 'Preferred Approach' - October – November 2009
 - Publication and Submission, Autumn 2010
 - Examination Spring 2011
 - Adoption late 2011.

Consultation

- .12 Within the context of the City Council's Statement of Community Involvement, a programme of consultation has been developed. This includes the creation of consultation and display material, the hosting of exhibitions and "drop-in-sessions", outreach contact with minority groups and the use of the City Council's web site. We are also notifying a wide range of stakeholders, neighbouring local authorities and Parish Councils. All City Council Ward Members were emailed prior to commencement of the consultation period on 26th October with details of where to find the core strategy documents on the website.

Background Documents

- .13 The Core Strategy Preferred Approach comprises the following:
- Main Document
 - Map Book
 - Summary

RECOMMENDATION

- .14 To receive a presentation on the content of the Core Strategy Preferred Approach and to make comments as part of the consultation process

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