



PLANS PANEL (EAST)

Meeting to be held in Civic Hall Leeds on
Thursday, 28th October, 2010
at 1.30 pm

MEMBERSHIP

Councillors

D Congreve
(Chair)
R Grahame
P Gruen
M Lyons
K Parker

A Taylor
D Wilson

G Latty
J Procter

R Finnigan

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> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information.</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p>DECLARATIONS OF INTEREST</p> <p>To declare any personal / prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence.</p>	
6			<p>MINUTES</p> <p>To approve the minutes of the Plans Panel East meeting held 30th September 2010 as a correct record</p> <p>(Copy attached)</p>	3 - 10
7	Chapel Allerton;		<p>APPLICATION 10/03112/FU - 4 FARM HILL WAY, MILES HILL LS7 2SQ</p> <p>To consider the report of the Chief Planning Officer setting out details of an application for a part two storey, part single storey side and rear extension to 4 Farm Hill Way, Leeds, LS7 2SQ</p> <p>(Report attached)</p>	11 - 14
8	Kippax and Methley;		<p>APPLICATION 10/00056/FU - THE OLD RECTORY, 1 LOWER MICKLETOWN, METHLEY LS26 9JH</p> <p>To consider the report of the Chief Planning Officer setting out details of an application for the erection of a 5 bedroom detached house with attached double garage at The Old Rectory, 1 Lower Mickletown, Methley, LS26 9JH</p> <p>(Report attached)</p>	15 - 24

Item No	Ward	Item Not Open		Page No
9	Harewood;		<p>APPLICATIONS 10/03171/FU & 10/03172/CA - THE BUNGALOW, MAIN STREET, LINTON, LS22</p> <p>To consider the report of the Chief Planning Officer setting out details of an application requesting the demolition of an existing bungalow and replacement with a 5 bedroom detached bungalow. The Bungalow, Main Street, Linton, Wetherby, LS22 4HT</p> <p>(Report attached)</p>	25 - 34
10	Harewood;		<p>APPLICATION 10/00337/FU - RYDER COTTAGE, MAIN STREET, EAST KESWICK LS17 9EU</p> <p>To consider the report of the Chief Planning Officer setting out details of an application for a two storey rear extension to Ryder Cottage, Main Street, East Keswick, Leeds, LS17 9EU</p> <p>(Report attached)</p>	35 - 42
11	Wetherby;		<p>APPLICATION 10/03829//FU - CASA BLANCA, CHURCH CAUSEWAY, THORP ARCH, WETHERBY, LS23 7AE</p> <p>To consider the report of the Chief Planning Officer setting out details of an application for the installation of 12 roof – mounted solar panels to the side of Casa Blanca, Church Causeway, Thorp Arch, Wetherby, LS23 7AE</p> <p>(Report attached)</p>	43 - 48
12	Wetherby;		<p>APPLICATION 10/02650/CA - FORMER BOSTON SPA YOUTH CLUB, DEEPPDALE LANE, BOSTON SPA LS23</p> <p>To consider the report of the Chief Planning Officer setting out details of a Conservation Area application for the demolition of the former youth centre on the site of the former Boston Spa Youth Club, Deepdale Lane, Boston Spa, Wetherby, LS23</p> <p>(Report attached)</p>	49 - 54

Item No	Ward	Item Not Open		Page No
13	Ardsley and Robin Hood; Kippax and Methley; Rothwell;		<p>APPLICATION 10/00225/OT - CONSULTATION BY WAKEFIELD COUNCIL:- OUTLINE APPLICATION FOR MIXED USE DEVELOPMENT INCLUDING 12000 SEAT COMMUNITY STADIUM AT NEWMARKET LANE, WAKEFIELD</p> <p>To consider the report of the Chief Planning Officer setting out details of an Outline application for a mixed use development including a 12,000 seat community stadium on land at Newmarket Lane, Wakefield</p> <p>(Report attached)</p>	55 - 64
14			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the date and time of the next meeting as Thursday 25th November 2010 at 1.30 pm</p>	

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To all Members of Plans Panel
(East) and relevant Town and Parish
Councils

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

Contact: Angela M Bloor
Tel: 0113 247 4754
Fax: 0113 395 1599
angela.bloor@leeds.gov.uk
Your reference:
Our reference: ppe site visits
Date 20th October 2010

Dear Councillor

SITE VISITS – PLANS PANEL EAST – 28TH OCTOBER 2010

Prior to the meeting of the Plans Panel (East) on Thursday 28th October 2010 the following site visits will take place:

9.30 am		Depart Civic Hall
9:55 am	10/00056/FU	The Old Rectory, 1 Lower Mickletown, Methley
10:45 am	10/03829/FU	Casa Blanca, Church Causeway, Thorp Arch
11:05 am	10/03171/FU & 10/03172/CA	The Bungalow, Main Street, Linton, LS22
11:30 am	10/00337/FU	Ryder Cottage, Main Street, East Keswick
12:15 am		Return to Civic Hall

For those Members requiring transport, a minibus will leave the Civic Hall at 9.30 am Please notify David Newbury (Tel: 247 8056) if you wish to take advantage of this and meet in the Ante Chamber at **9.25 am**.

Yours sincerely

John Grieve
Governance Services

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Agenda Item 6

Plans Panel (East)

Thursday, 30th September, 2010

PRESENT: Councillor D Congreve in the Chair

Councillors B Chastney, R Finnigan,
R Grahame, P Gruen, G Latty, M Lyons,
K Parker, J Procter and D Wilson

55 Chair's opening remarks

The Chair welcomed everyone to the meeting and asked Members and Officers to introduce themselves

56 Late Items

There were no formal late items, however Panel Members were in receipt of the following additional information to be considered at the meeting:

Application 10/02503/FU – 10 The Paddock Thorner LS14 – Written representations from Thorner Parish Council and a copy of the Thorner Parish Plan Review dated August 2010 (minute 63 refers)

57 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:

Applications 10/01593/FU and 10/01594/CA – Wetherby Health Centre St James's Street Wetherby LS22 – Councillor Lyons declared a personal interest as a member of West Yorkshire Integrated Transport Authority as Metro had commented on the proposals (minute 64 refers)

58 Apologies for Absence

Apologies for absence were received from Councillor Alan Taylor who was substituted for by Councillor Chastney

59 Minutes

RESOLVED - That the minutes of the Plans Panel East meeting held on 2nd September 2010 be approved

60 Application 09/03138/FU - Appeal summary, 10 Elmete Avenue, Scholes

Further to minute 48 of the Plans Panel East meeting held on 2nd September 2010 where Panel received a verbal update on a recent appeal decision in respect of land to the rear of 10 Elmete Avenue LS15, Members considered a detailed report of the Chief Planning Officer

It was the decision of the Inspector to allow the appeal against non-determination of an application for planning permission for the erection of 3 new dwellings and double garage to rear garden at 10 Elmete Avenue LS15, subject to conditions and with an award of costs against the Council

Members were informed that having obtained legal advice in respect of the claim for costs against the Council, Officers had been informed any claim would be unlikely to be successful as the Council would need to prove that the decision which had been made was wrong in law

Reference was made to discussions on this matter at the Joint Plans Panel meeting which had taken place on 23rd September 2010 and the Head of Planning Services read out a letter to be sent to the Secretary of State, for Communities and Local Government, outlining the concerns raised by this decision, with a copy to be sent to all Members of the Plans Panels, all Leeds MPs, the Executive Member for Development, the Planning Minister and the Chief Planner in the Department of the Communities and Local Government

Members again reiterated their concerns at the decision which the Inspector had made and welcomed the letter, with the suggestion being made that copies of it should also be sent to the local residents

RESOLVED - To note the report and the comments now made

61 Application 10/02814/FU - Part two storey part single storey front, side and rear extension (dormer window is permitted development) - 41A Stainburn Crescent, Moortown LS17 6NE

Further to minute 47 of the Plans Panel East meeting held on 2nd September 2010 where Panel agreed to defer consideration of the application for a site visit, Members considered a report of the Chief Planning Officer

Plans, drawings and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which related to an application for extensions at 41A Stainburn Crescent Moortown LS17

Members were informed that a previous, larger scheme had been withdrawn and proposals for a smaller scheme had been discussed, however Officers were of the view that the revised scheme was also overdominant and could not be supported. A possible reason for refusal of the application was included in the submitted report

The Panel heard representations from the applicant

RESOLVED - That the application be refused for the following reason:

The Local Planning Authority considers that the proposed development by reason of its scale, design and siting results in inappropriate, overly large and dominant feature that will harm the host dwelling, relationship between the house and adjoining property and in turn, the amenity of the neighbouring residents. As such it is contrary to Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) as well as guidance contained in Planning Policy Statement 1 – Delivering Sustainable Development

62 Application 10/03112/FU - Part two storey part single storey side and rear extension - 4 Farm Hill Way, Leeds LS7 2SQ

Further to minute 47 of the Plans Panel East meeting held on 2nd September 2010 where Panel deferred consideration of the application for a site visit to take place, Members considered a report of the Chief Planning Officer

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report and referred to an earlier application for extensions which had not been carried out in accordance with the previously approved plans. Enforcement action had been taken and an appeal against that had been lodged; the application before Panel was seen as a compromise between the previous approval and what had been built

The Panel's Lead Officer corrected some typographical errors in the report before Panel and asked that if minded to approve the application, a further condition be added in respect of details of access and parking to be submitted

Officers referred to further representations on behalf of the objectors which had been sent to all Panel Members

The Panel heard representations from an objector who attended the meeting
Members commented on the following matters:

- the size of the extensions and that these were too big
- the detrimental impact of the extensions on neighbouring properties and within the streetscene
- that whilst the Officer's recommendation was to approve the application, the view that had this not been to retain elements that had already been built and that previously planning permissions had been granted for extensions, then it may not have been put forward for approval
- concerns that what had been built differed considerably from what had been approved
- the need for a clear message to be sent that where development had not been built in accordance with approved plans, Panel would not automatically approve an application to regularise it

RESOLVED - That the Officer's recommendation to approve the application be not accepted and that the Chief Planning Officer be asked to submit a further report to the next meeting setting out possible reasons for refusal of the application based upon the concerns raised by Panel relating to overdevelopment leading to harm in terms of residential amenity and the streetscene

63 Application 10/02503/FU - Single storey side extension - 10 The Paddock, Thorner, LS14 3JB

Plans, photographs and drawings were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a single storey side extension at 10 The Paddock Thorner LS14, which was situated in the Thorner Conservation Area

Members were informed that a similar extension had been approved to the adjacent property in 2009

Officers reported receipt of an additional letter of representation from Councillor Castle expressing concern about the loss of visual gaps between buildings within the conservation area

The Panel heard representations on behalf of the applicant and from an objector who attended the meeting

Members discussed the application and were of the view that the decision taken on 9 The Paddock last year was a factor in considering the proposal

RESOLVED - That the application be granted subject to the conditions set out in the submitted report

(Under Council Procedure Rule 16.5, Councillor J Procter required it to be recorded that he voted against the matter)

64 Applications 10/01593/FU & 10/01594/CA - Part two storey part three storey residential care home with 58 bedrooms and two storey block of 8 extra care flats with car parking and landscaping and Conservation Area consent for demolition of existing health centre - Wetherby Health Centre, St James's Street, Wetherby LS22

Plans and photographs were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for the demolition of the existing health centre at St James's Street, Wetherby, which was situated in the Conservation Area and its replacement with a residential care home with extra care units, car parking and landscaping

Details of the design and proposed materials were outlined as were the Section 106 contributions. In terms of car parking spaces there would be 14 spaces provided for the residential home and 4 spaces in the extra care accommodation

Members were informed of the receipt of a further representation from Wetherby Silver Band

Officers were of the view that the proposals would positively enhance the Conservation Area and were respectful of the adjacent listed building. If minded to approve the application, an additional condition requiring details of the covered walkway between the main nursing home and extra care flats was requested

Members commented on the following matters:

- that the principle of development was supported but that some basic issues needed to be addressed
- the level of car parking to be provided and whether visitor parking had been taken into account when deciding upon the provision of 14 spaces
- whether the use of the car parking spaces would be unrestricted
- whether the proposed level of parking had been assessed against the document 'A Parking Strategy in Wetherby 2010 – 2014 and beyond'
- the energy conservation aspects of the proposals
- whether a drainage assessment had been undertaken and evaluated
- whether the extra care flats would be managed or whether they could be sold off individually
- the staffing levels for the facility
- whether Ward Members had been consulted on the proposals
- a lack of detail in the landscaping proposals
- the pitch of the roof as shown on the graphics which seemed particularly steep

Officers provided the following responses:

- that the level of car parking had been assessed with regard to the UDP guidelines and the TRICS database and Officers were confident that the car parking demand from the development could be comfortably met within the 14 spaces to be provided. In terms of the 4 spaces available for the extra care flats, this was the maximum level required by the UDP
- that the TRICS database was based on real development and the demand for parking from other residential homes had been taken into consideration
- that the parking spaces would be unallocated, apart from the ambulance space
- that the Panel's Highways representative was familiar with document referred in respect of a parking strategy in Wetherby and was of the view that the scheme would not lead to a detrimental impact in terms of parking in Wetherby Town Centre
- that in respect of sustainability, the proposals included the use of photovoltaics which would provide hot water to the facility
- that a drainage assessment had been undertaken and relevant conditions were included
- that the extra care flats would be managed and could not be sold off individually
- that the staffing levels were based around a three shift system, with 14 staff on duty during the day and 6 at night
- that Wetherby Town Council had been consulted on the proposals but that local Ward Members had not been involved

Members considered how to proceed

RESOLVED - That the application be deferred and delegated to the Chief Planning Officer in consultation with Ward Members and subject to the conditions set out in the submitted report (and any others he might consider appropriate) and in the event that agreement is not reached with Ward Members, then a further report be submitted to Panel for determination of the application

65 Application 10/02898/FU - Erection of detached 5 bedroom house with attached double garage to equestrian/kennels/cattery - Cleavesty Centre, Cleavesty Lane, East Keswick

Plans, photographs, drawings and precedent images were displayed at the meeting. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a five bedroom dwelling house and garage on land situated in the Green Belt

Members were informed that the structures currently on site associated with the equestrian and kennels/cattery use would be demolished and the land not occupied by the dwelling house would be landscaped to use as a domestic garden, growing space and informal landscaping

The design of the property would be contemporary and would achieve a significant level of sustainable construction resulting in significant enhancements to biodiversity

Whilst by definition the proposals constituted inappropriate development in the Green Belt, Officers considered that very special circumstances had been demonstrated which would outweigh the presumption against the grant of planning permission

The Panel heard representations from the applicants agent and Councillor Rachael Procter, a local Ward Member

Members commented on the following matters:

- the design of the property and the lack of consultation with Ward Members on this
- concerns that this could be a forerunner for further development at this site
- that because a site had deteriorated, this was not a reason to grant planning permission
- the principle of development

Members considered how to proceed

RESOLVED -

i) That determination of the application be deferred for two cycles to enable consultation with Ward Members on issues including design and landscaping, including details of the scheme and timing of delivery on the proposals and that a further report be submitted to Panel

ii) To note that Members reserved their position in respect of the principle of development

66 Application 10/02982/FU - Change of use of retail unit (A1 use) to restaurant (A3 use) - 9 Bank Street, Wetherby, LS22

Drawings, photographs and plans were displayed including plans showing the location of bars/restaurants and the secondary shopping frontages in the area. A site visit had taken place earlier in the day which some Members had attended

Officers presented the report which sought permission for a change of use of a vacant double-frontage retail unit in Wetherby Town Centre to a restaurant (A3 use)

Members were informed that the only physical alteration required would be the inclusion of a small flue to the roof

In terms of opening hours, the applicant was prepared to be flexible and whilst some limited takeaway business had been requested, this too could be flexible

A further letter of representation was reported which raised concerns about the proposed takeaway element in respect of possible litter, increased noise and disturbance; traffic and parking problems

Members commented on the following matters:

- the Cumulative Impact Policy and that this had been used to refuse an application in the area
- whether the proposals contravened policy SF8
- whether the property was DDA compliant
- the emergency exit arrangements
- that the entrance on Bank Street should be used as an emergency exit only

- the importance of shop units being occupied but concerns this was not the best location for such a use, and that the necessary staff facilities were not provided
- the proposed opening hours with concern that the unit might be closed for most of the day
- that the plans of the shopping frontages had not been made available prior to the meeting
- the takeaway element, with Members of the view this should not be included in the proposals

Officers provided the following responses:

- that the Cumulative Impact Policy was a Licensing arrangement and that the way of assessing such applications for development control purposes was through the primary and secondary shopping frontages policy, with the Panel's Lead Officer reading out policy SF8, for Members' information
- that the Council's Access Officer did not raise objections to the application
- a condition could be included to require the door on Bank Street to open inwards and be used for emergency egress only

Members considered how to proceed

A proposal to refuse the application was made and seconded but was not supported by the majority of the Panel

RESOLVED - That the application be granted subject to the conditions set out in the submitted report plus additional conditions to prevent the premises used for takeaway business and that the door on Bank Street to open inwards and be for emergency egress only

(During consideration of this matter, Councillor Gruen left the meeting)

67 Date and time of next meeting

Thursday 28th October 2010 at 1.30pm in the Civic Hall, Leeds

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Originator:	Kam Sandhu
Tel:	0113 3951609

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28.10.2010

Subject: APPLICATION 10/03112/FU: Part two storey, part single storey side and rear extension at 4 Farm Hill Way, Leeds, LS7 2SQ

APPLICANT

Mrs W Liu

DATE VALID

06.07.2010

TARGET DATE

31.08.2010

Electoral Wards Affected:

Chapel Allerton

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: If Members are minded to refuse the application the following reasons are suggested in the report below:

1.0 SUMMARY

1.1 This application was recommended by planning officers for approval at the Plans Panel (East) meeting on 20th September 2010. At the meeting Members expressed concerns regarding the size of the extension, relative to the size of the plot, and that it would result in an overdevelopment that causes harms to residential amenity and the streetscene. As a consequence, Members asked Officers to bring a report back to Plans Panel with a recommendation for refusal.

2.0 In the light of the above, the following reasons for refusal are suggested for Members consideration:

1. The Local Planning Authority considers that the proposed part two storey, part single storey side and rear extension is unacceptable by virtue of its massing, size and scale constitutes overdevelopment which will lead to a significantly harmful alteration of the character and appearance of the application property. As such they are considered to be contrary to Policies GP5 and BD6 of the Unitary Development Plan Review (2006) and PPS1 Delivering Sustainable Development.
2. The Local Planning Authority considers that the proposed part two storey, part single storey rear extension is unacceptable by virtue of its overall size, scale and massing in close proximity to the neighbouring boundary resulting in a development which would overdominate the neighbouring property at 6 Farm Hill Way to the detriment of the residential amenity of the occupants of that property. As such it is contrary to policies GP5 and BD6 of the Unitary Development Plan (Review 2006) and to guidance contained in Planning Policy Statement 1: Delivering Sustainable Development.

Background Papers:

Application file 10/03112/FU

Ownership certificate by applicant

LEEDS CITY COUNCIL
Please refer to Decision Notice
17 AUG 2010
REVISED

B	DRAWING TITLES CORRECTED	AUG 2010	DATE
	REVISIONS		

NOTE:
The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work commences.

All drawings must be read with and checked against any structural or other specialist drawings provided by the contractor. Code of Practice, current Building Regulations and conformed to the notification of Building Inspector. All materials to comply with the relevant British Standards.

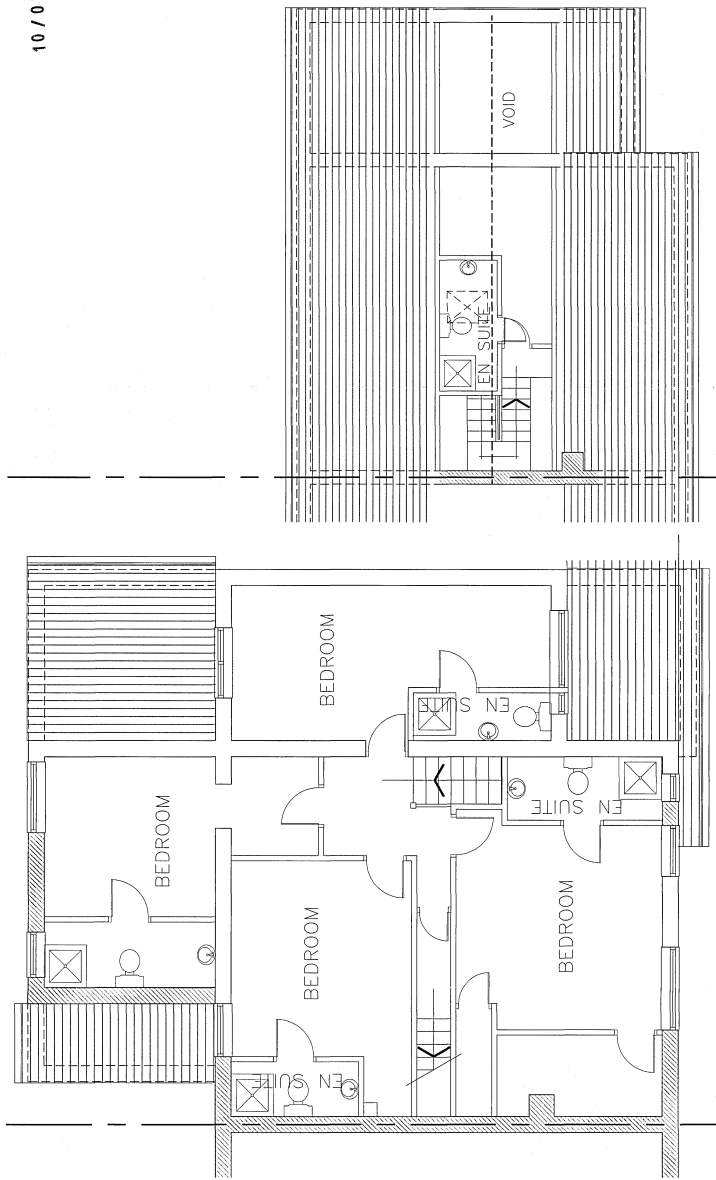
P.S. RIYAT & ASSOCIATES
Architectural Designers and Planning Consultants
Benson House, 14 Benson Street, Leeds LS7 1BL
Telephone: 0113 244 8802
Fax: 0113 244 8803
E-Mail: psr1@btinternet.com

CLIENT
MRS W LIU

PROJECT
PROPOSED ALTERATIONS & EXTENSION TO
4 FARM HILL WAY LEEDS LS7 2SQ

DRAWING TITLE
PROPOSED FLOOR PLANS AND ELEVATIONS

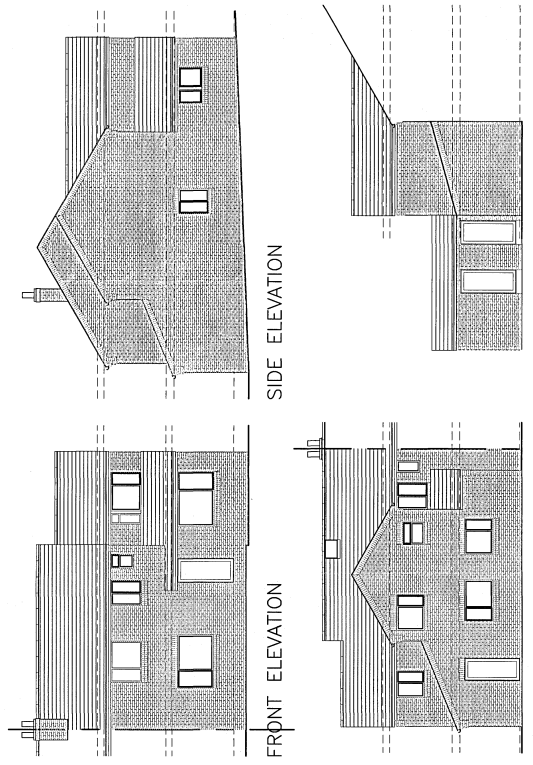
SCALE	1:50 / 100	DRAWING No.	1436/11
DATE	JUNE 2010		



SECOND FLOOR

FIRST FLOOR

PROPOSED PLANS 1:50



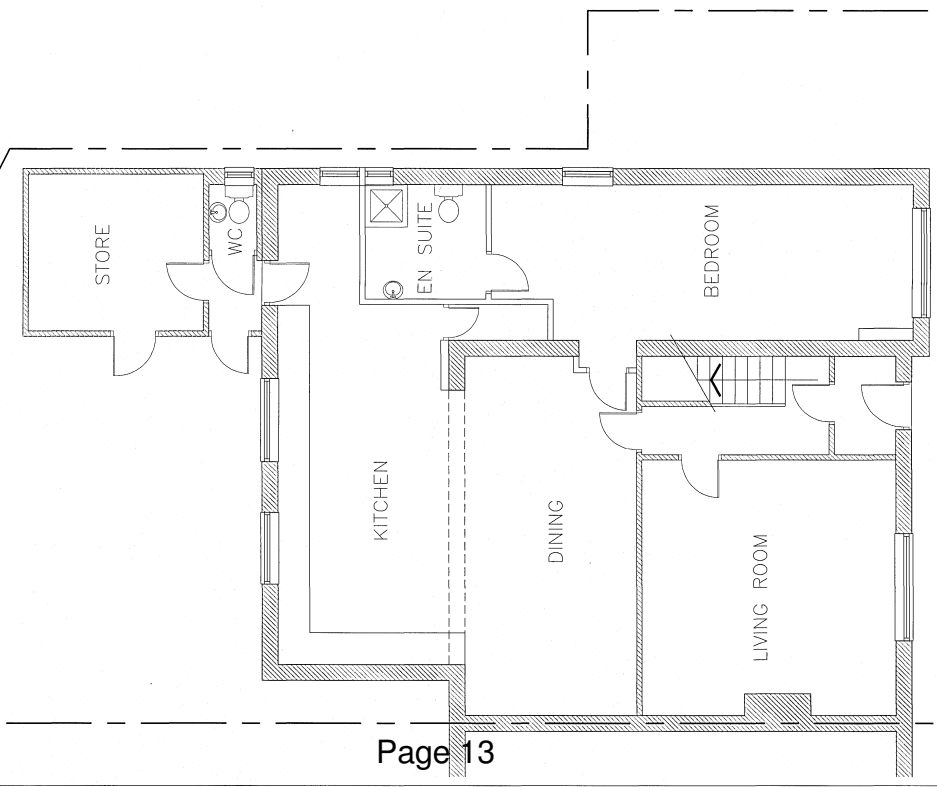
SIDE ELEVATION

FRONT ELEVATION

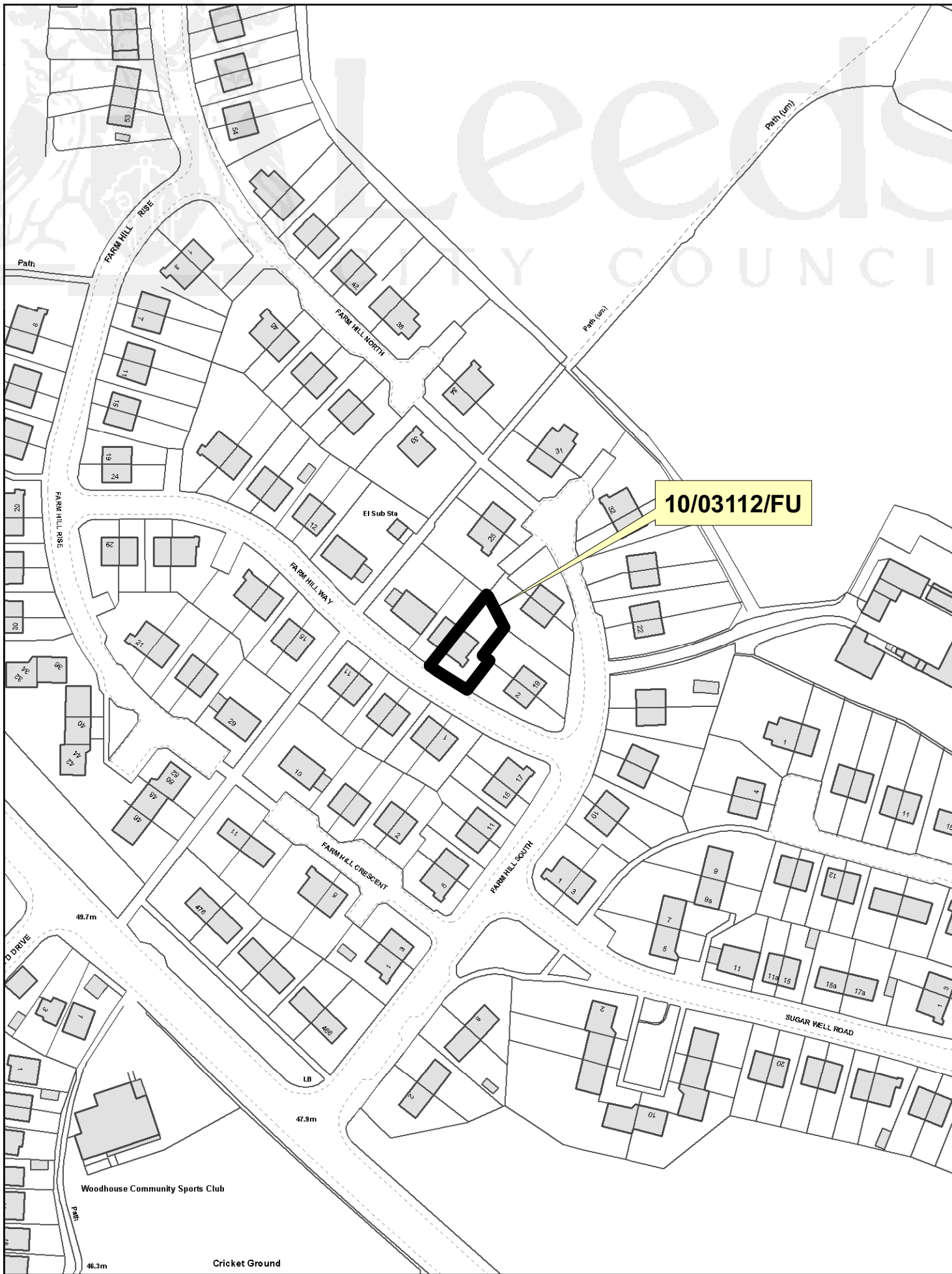
REAR ELEVATION

PART SIDE ELEVATION

PROPOSED ELEVATIONS 1:100



PROPOSED GROUND FLOOR



EAST PLANS PANEL





Originator: Nicola Moss

Tel: 01132 478028

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28/10/2010

Subject: APPLICATION 10/00056/FU – Five bedroom detached house with attached double garage at The Old Rectory, 1 Lower Mickletown, Methley, LS26 9 JH

APPLICANT

Mr James Fender

DATE VALID

18/01/2010

TARGET DATE

15/03/2010

Electoral Wards Affected:

Kippax & Methley

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSE PERMISSION for the following reason:

1. The Local Planning Authority considers the proposed development to be unacceptable, by virtue of its skewed siting, scale and design, which would dominate the application site, and fail to achieve a level of subservience which respects the character and appearance of the listed building and the adjacent Laurel farmhouse. Consequently, the proposal would adversely affect the setting and visual amenity of the listed building, which would be made more apparent by the removal, in part, of the existing hedgerow which currently screens the site. Furthermore, the skewed siting of the proposed dwelling house and the inclusion of the incongruous link between the double garage and the house, fails to respect the urban grain and character of the immediate area, causing detriment to the visual amenity of adjacent properties and the existing streetscene. As such, the proposal is contrary to policies GP5, BD5, N12 and N13 of the Leeds Unitary Development Plan Review and Planning Policy Statement 1: Delivering Sustainable Development, Planning Policy Statement 3: Housing and Planning Policy Statement 5: Planning for the Historic Environment.

1.0 INTRODUCTION:

1.1 This application is brought to Plans Panel East at the request of Councillor Parker, due to the changes to PPS3 and the re-designation of garden land. A Members site visit was also requested.

1.2 Notwithstanding that there was a previous approval for a detached dwelling house at the site in 2006, this permission has since lapsed and in the interim period there has been a material change in circumstances, as a result of the recent changes to PPS3 and the introduction of PPS5 (Policy HE7). As such, the proposal has been considered afresh, in accordance with current policy and guidance.

2.0 PROPOSAL:

2.1 The proposal seeks permission for the construction of a detached, five bedroom dwelling house, to be constructed in reclaimed red brick, with a link attached double garage, in the front garden of Grade II listed building "The Old Rectory", eastern end of Main Street, Methley.

2.2 The proposed house will be sited approximately 7.5m from the listed front stone wall and close to the eastern side boundary of the front garden, adjacent to Laurel farmhouse. The building will be orientated at an oblique angle to the adjacent property, with the rear elevation facing towards the eastern boundary.

2.3 The main section of the house will measure approximately 12m x 8m, standing at just over 8.5 in height to the ridge of the pitched roof, which will be tiled with blue slate and will contain one roof light to the front and three to the rear. The house will be characterised by a three bay façade, featuring a central porch with tandem pitch roof. The windows will be timber framed with stone heads and cills. The property will also feature stone quoining to all corners and an exposed gable chimney extending up the east side elevation.

2.4 The house will be attached to the double garage via a single storey link building. The garage will be of a matching red brick construction and will measure approximately 7.4m x 6.5, standing at over 6m in height, in order to contain first floor accommodation. The garage is set at an oblique angle to the house, with its rear elevation parallel with the front elevation of The Old Rectory.

2.5 The proposed house will be accessed off the existing driveway.

2.6 The listed stone wall which extends along the front and western side boundary of the site will have to be demolished in part to the front and rebuilt and re-aligned with a reduction in height closest to the access, in order to improve visibility.

2.7 Landscape works including the removal of some trees have already been undertaken as a consequence of the previous approval. However, in order to achieve visibility the substantial hedge along the front boundary would also have to be reduced to a metre in height or removed, in part, along the front boundary.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of the front portion of the large main front garden of The Old Rectory, which is a Grade II listed house, former rectory, of the late 17th/early 18th Century, situated in the area of Lower Mickletown, Methley.

3.2 The property occupies a prominent corner location at the point where Main Street meets Lower Mickletown, at the junction with Parsonage Road and Pinfold Lane.

The setting of the property is defined by the listed stone wall which extends around the front and western side boundary of the site. The mature garden is characterised by a number of mature protected trees, and a substantial mature hedgerow, which contributes much in the way of character and greenery to the streetscene of Lower Mickletown.

- 3.3 A long driveway extends along the western boundary of the site, sweeping to the front of the building.
- 3.4 The listed building itself, which is an imposing, rectangular shaped, two storey, red brick building, with a 5 bay facade and hipped stone slate roof with prominent gable stacks, is set well back from the front boundary of the site, overlooking the land to the front of the property.
- 3.5 Laurel Farm is the building most closely related to the proposed development outside of the application site, being situated parallel to the eastern boundary of the garden, fronting onto the main streetscene of Lower Mickletown. This building is also of red brick construction, in the style of a traditional farmhouse with gable stacks to either side of the pitched slate roof.
- 3.6 Residential housing is situated to the north, south and west of the site, with the former Laurel farm situated to the east.

4.0 RELEVANT PLANNING HISTORY:

- 4.1 22/306/05/FU – Five bedroom detached house with attached double garage, approved 20/03/06
22/305/05/LI – Listed building application for five bedroom detached house with attached double garage, withdrawn 24/10/05
22/69/04/LI – Listed building application to demolish outbuilding to rear, approved 28/05/04
H22/130/87 – Listed building application to carry out alterations, including replacement doors, roof lights and new windows, approved 19/10/87

5.0 PUBLIC/LOCAL RESPONSE:

- 5.1 The application was advertised by site notices posted on 22/01/10. The publicity period expired on 12/02/10.
- 5.2 One letter of representation has been received objecting to this application on the grounds that The Old Rectory is one of the most historical Grade II listed buildings in the small rural village of Methley and to build another property in its front garden would alter the whole layout/character. In addition, the property is situated on an already busy/awkward junction. A five bedroom house with double garage is over development of what is a small area of land.
- 5.3 Any material planning considerations are addressed within the Appraisal section of the report.

6.0 HISTORY OF NEGOTIATIONS:

- 6.1 Initially on re-submission of the application, it was considered that the scheme might be acceptable as submitted, in light of the previous approval. However, further to

changes in planning policy during the application process, including PPS3 and the re-classification of gardens as Greenfield land, the introduction of PPS5 and greater emphasis on PPS1 and the raising of design standards, the proposal was viewed afresh with Design and Conservation Officers. It was considered that the proposal not only did not meet current policy and design standards, but with hindsight, perhaps further improvements should have been sought at the time of the original application.

- 6.2 Notwithstanding the above, the principle of the development was still considered to be acceptable, but only subject to improvements to the scheme that would ensure that it did not cause detriment to the visual amenity and character and appearance of the listed building, adjacent properties and streetscene.
- 6.3 This was explained to the applicant, who understood that there was no guarantee that an application automatically gained approval a second time, as policy and standards may progress in the interim period. The applicant initially agreed to meet with all relevant consultees including the Conservation Officer to look at possible amendments to improve the scheme in order to gain an approval. However, subsequently the applicant has decided that they would like a decision to be made on the application in its current form.

7.0 CONSULTATION RESPONSES:

Statutory:

- 7.1 None

Non-Statutory:

- 7.2 Highways – further details required to demonstrate required visibility from proposed vehicular access. This issue can be resolved by conditions should the application be approved.

8.0 PLANNING POLICIES:

8.1 Leeds Unitary Development Plan (Review) (UDPR):

GP5 – seeks to resolve detailed planning considerations including design, access and amenity.

BD5 – all new buildings should be designed with consideration to both their own amenity and that of their surroundings.

T2 – Highway safety.

Policy H3 – Housing land release.

Policy H4 – Residential development on sites not identified for that purpose in a demonstrably sustainable location will be permitted provided the development is acceptable in sequential terms.

Policy N12 – Proposals for development should respect fundamental priorities for urban design.

Policy N13 – the design of all new buildings should be of high quality and have regard to the character and appearance of their surroundings.

National planning policy guidance documents:

- 8.2 Planning Policy Statement 1: Delivering Sustainable Development (PPS1)
Planning Policy Statement 3: Housing (PPS3)
Planning Policy Statement 5: Planning for the Historic Environment (PPS5)

9.0 MAIN ISSUES

- Principle of development
- Design & visual amenity
- Impact on listed building and its setting
- Impact on residential amenity
- Highways
- Landscaping
- Conclusion

10.0 APPRAISAL

Principle of Development

- 10.1 The principle of the proposed development should be considered in light of the recent changes to PPS3, which now exclude garden land from the definition of previously developed land. As such, there is no longer a policy presumption in favour of the principle of residential development, and the key consideration for development of a Greenfield site should then be the impact on the character of the area, both in terms of visual and spatial character. If the scheme is unacceptable due to the impact on character, the re-designation of a garden site as Greenfield adds weight to the objections or reasons for refusal on these grounds.
- 10.2 In light of the above, it is considered that the proposed development is acceptable in principle, subject to improvements to the scheme to ensure that it does not cause detriment to the visual amenity and character and appearance of the listed building and its setting, adjacent properties and wider streetscene.

Design & Impact on visual amenity

- 10.3 The proposed development is considered to be unacceptable due to its siting, scale and design, which would dominate the application site, causing significant detriment to the visual amenity of adjacent properties, including the setting of a Grade II listed building and to the visual amenity of the existing streetscene in a significant corner location.
- 10.4 It is considered that the skewed siting of the main proposed building disregards the urban grain of the area, which is generally rectilinear, respecting the street frontage. The position also does not relate well to the adjacent Laurel farmhouse, whereby the gable elevation would project forward of the front elevation of Laurel farmhouse, at an oblique angle, thereby detracting from the visual amenity of this existing property. It is considered that the dwelling should be on a similar alignment to Laurel farmhouse, with gable elevation to gable elevation, orientated towards the eastern boundary, not only to achieve a better relationship between the two properties, but also to minimise the impact on views of the listed building.
- 10.5 The building design does reflect some aspects of the adjacent Laurel farmhouse, against which it will be predominantly read, including the use of reclaimed materials from the area which will tone down the appearance of the new building and the three bay façade to the main elevations. However, some design features such as quoining are clearly not a feature of the immediate setting and are therefore not considered to be appropriate. It is considered that additional features could easily

be incorporated which would better serve to integrate the building into its setting, including gable stacks to both sides of the building.

- 10.6 The link design of the house to the double garage, creates an incongruous feature which bears no resemblance to the surrounding character and only accentuates the overall size and prominence of the development. It is considered that this link attachment should be omitted from the proposal, allowing the house and garage to be repositioned appropriately. In addition, the scale of the garage itself is considered to be too large for this location and setting, as discussed in paragraph 10.12 below.
- 10.7 Due to the prominent corner location of the application site, it is essential that any development on the site is appropriate to its setting and will not be unduly prominent, particularly taking into account that the current screening provided by the existing hedgerow will be reduced, if not removed, in part, in order to achieve the required visibility at the access, which will open up views of the site. It should also be borne in mind, which the retention of existing landscaping cannot be guaranteed, as it can die or could end up being removed without authorisation by future occupants of the property. As such, existing levels of screening of a site should never justify poor or inappropriate design, particularly in a sensitive location such as this.

Impact on listed building and its setting

- 10.8 The proposed development is considered to be unacceptable due its siting, scale and design, which will have an adverse impact on the setting and views of the listed building, "The Old Rectory", (heritage asset PPS5), contrary to policy HE9.1 and HE7 of PPS5.
- 10.9 Policy HE8.1 of PPS 5 confirms that the effect of an application on the significance of a heritage asset or its setting is a material consideration in determining applications. The guidance also makes it clear that the significance of a listed building can be harmed or lost not only through alteration and destruction of the heritage asset itself i.e. the building, but also as a result of development within its setting (Policy HE9.1), which his most relevant to this case.
- 10.10 In this case, the garden itself (application site), is an integral part of the setting of the listed building. Therefore any development within this setting must be wholly subservient and sympathetic to the setting of the listed building and other adjacent buildings which contribute to that setting, so that its significance is not harmed or lost. It is considered that the proposed development in its current form would harm the significance of the listed building.
- 10.11 The height of the garage alone would dominate and impede views of the listed building, views which will be opened up by the reduction/removal, in part, of the existing hedgerow to the front. The need to have a garage of this height in order to accommodate first floor accommodation is questioned given the sensitivity of the site and the scale of the proposed house. Likewise the overall scale, design and siting of the proposed house itself, would also impede views of the listed building in its current position and again it is questioned whether the size of development, incorporating three floors of accommodation can reasonably be achieved in the defined area, without causing significant detriment to the listed building and its setting.

- 10.12 PPS5 (paragraph HE9.1) states that any harm or loss to the significance of the heritage asset (listed building) should require clear and convincing justification. For instance, this might be that the survival of the heritage asset is reliant on the proposed development. No such justification is given in this case, as such, the proposed development is considered to be unacceptable and contrary to PPS5.

Impact on residential amenity

- 10.13 It is considered that the proposed dwelling house will not cause significant detriment to neighbouring residential amenity as a result of overlooking, over shadowing or over dominance, as the siting of the building and outlook from the building, predominantly impact on the blank side gable elevation of Laurel farmhouse.
- 10.14 It is considered that the amenity of the future occupants of the proposed dwelling house could be improved upon. In its current position, the proximity to and alignment with the eastern side boundary, provides a poor outlook from the rear of the property, with the blank side gable elevation of Laurel farmhouse overbearing on the area immediately to the rear of the dwelling house. In addition, the oblique angle of the property creates a more restricted amenity space in terms of its usability. Again, if the building was realigned with Laurel farmhouse, this could create a much more useable private amenity space, concentrated to the rear of the property where it is most appropriate.

Highways

- 10.15 It has not been adequately demonstrated that the required visibility improvements can be achieved at the proposed vehicular access to the site. However, it is considered that this issue can be resolved by conditions should the application be approved.

Landscaping

- 10.16 The landscape information as submitted, currently shows some discrepancies and does not adequately demonstrate tree protection. However, it is considered that these issues could reasonably be resolved, as such, a reason for refusal on these grounds is not considered to be warranted.

11.0 CONCLUSION

- 11.1 For the above reasons, it is considered that the proposed development is unacceptable and contrary to policy, with particular regard to the impact on the setting of a listed building and amenity, and as such is recommended for refusal.

Background Papers:

Application file: 10/00056/FU

Certificate of Ownership: the applicant and Mrs June Fender (agent)

10/00056 #

LEEDS CITY COUNCIL
Please refer to Decision Notice
19 FEB 2010
REVISED

NOTES

REVISIONS

MWS ASSOCIATES
Chartered Building Surveyors - Architectural Designers
Property & Construction Consultants - CDM Co-ordinators

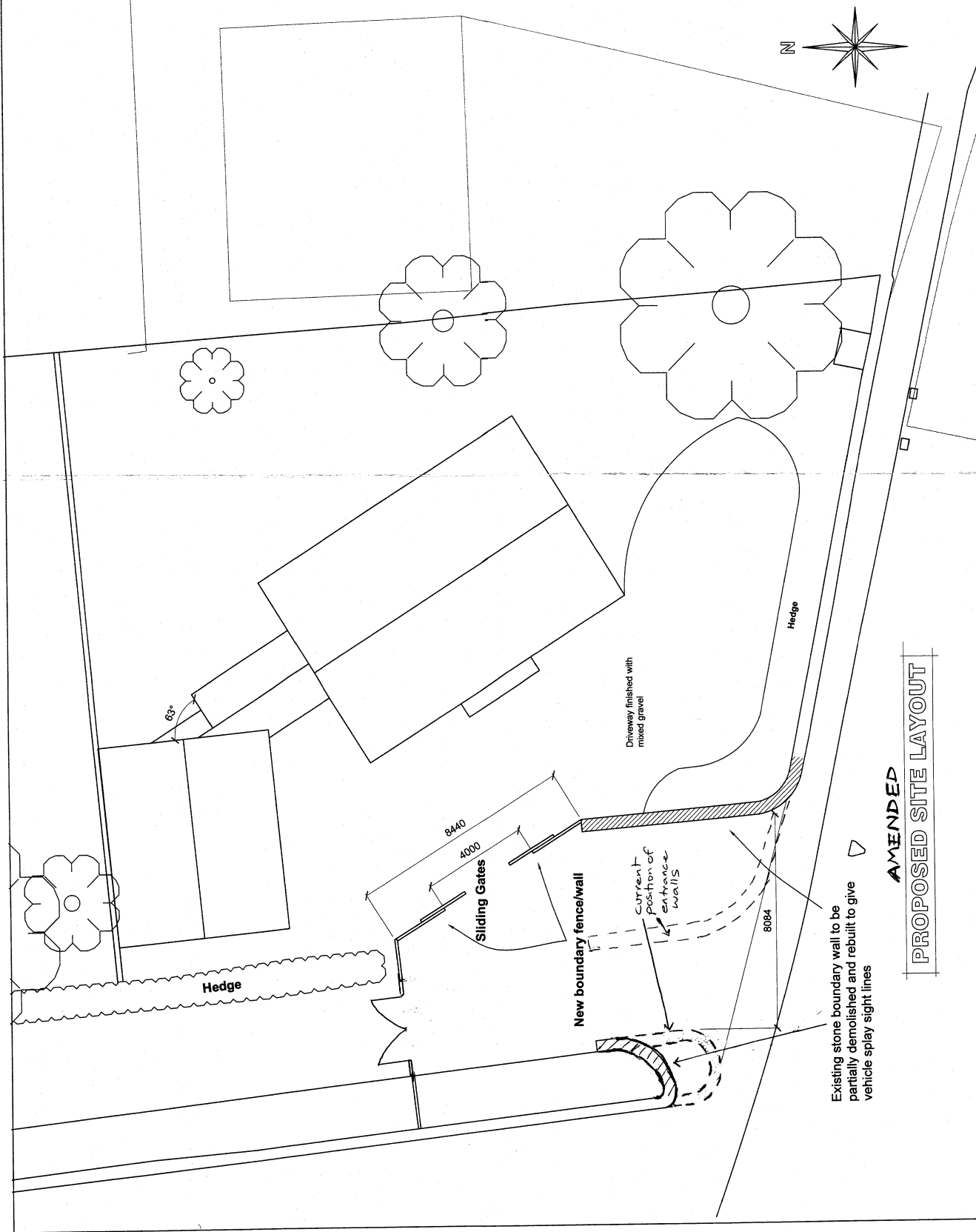
RICS
The Old Rectory
Lower Middleton
LS28 6AH

REGISTERED CONSULTANCY
Tully, Spence, Centre, Woodford Way, Wakefield
West Yorkshire, WF5 8BH
Telephone: 01924 332299; Fax: 01924 360723
email: info@mwsassociates.com

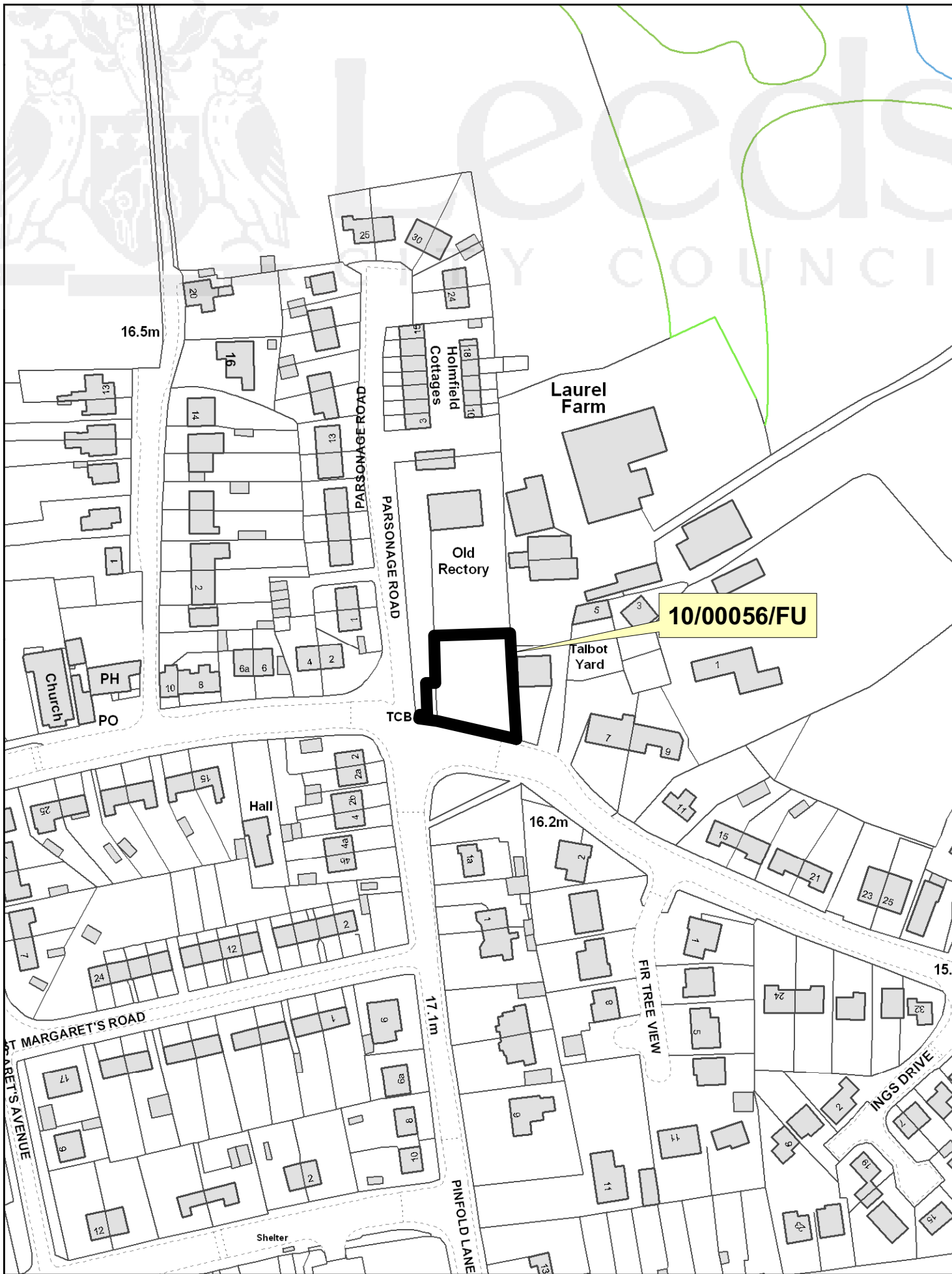
PROPOSED SITE LAYOUT

DATE: Nov 09
SCALE: 1:100

DRAWN: MW	DATE: Nov 09	DRAWING NO:	0148002
REVISION:	SCALE: 1:100		
STATUS:			



AMENDED
PROPOSED SITE LAYOUT



EAST PLANS PANEL



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Originator: Victoria Hinchliff
Walker
Tel: 39 51343

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October 2010

Subject: APPLICATION 10/03171/FU and 10/03172/CA. Demolition of existing bungalow and replacement with 5 bedroom detached bungalow. The Bungalow, Main Street, Linton, Wetherby, LS22 4HT

APPLICANT	DATE VALID	TARGET DATE
Stroud & Swindon Building Society – C Thompson	12/07/10	06/09/10

Electoral Wards Affected: Harewood

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity
Community Cohesion
Narrowing the Gap

RECOMMENDATION:
GRANT PERMISSION subject to the following conditions:

Conditions 10/03171/FU

1. Standard time limit.
2. Approval of materials for walls and roof.
3. Use of timber for windows and doors.
4. Details of existing and finished floor levels.
5. Details of landscaping, including hard landscaping areas.
6. Implementation of landscaping.
7. Replacement of landscaping if necessary.
8. Construction management plan.
9. Unexpected contamination.

Reason for Approval – The proposed new bungalow is considered to be of appropriate design for its context and will enhance the character of the conservation area. The application is considered to comply with policies GP5, H4, T2, T24, N13, N19, BD5 of the UDP Review, as well as guidance contained within Neighbourhoods for Living, the Linton Conservation Area Appraisal, and PPS1 Sustainable Development, PPS3 Housing and

PPS5 Historic Environment and, having regard to all other material considerations, is considered acceptable.

Conditions 10/03172/CA

1. Standard time limit
2. Contract for redevelopment.

Reason for Approval – The proposed demolition will remove a building which is considered to be of neutral impact within the conservation area. A proposal for its replacement has been put forward and it considered acceptable. The application is considered to comply with policies GP5, N18a, N18b, BC8 of the UDP Review as well as to guidance contained within the Linton Conservation Area Appraisal and PPS5 Historic Environment, and having regard to all other material considerations, is considered acceptable.

1. INTRODUCTION:

- 1.1. Two applications are under consideration here; one is for conservation area consent for demolition of an existing building, and one for a replacement 5 bedroom dwelling with integral double garage. The applications are brought to Panel at the request of Ward Councillor Rachael Procter who raises concerns regarding the impact of the proposed new build on the character and appearance of the conservation area, and of the loss of the existing “historic” cobblers building. Cllr Procter also requests that a site visit is carried out.
- 1.2. Both applications are outside of their expected determination period and an appeal against non-determination could be lodged.

2. PROPOSAL:

- 2.1. The Conservation Area Consent seeks approval for demolition of the existing building on site. The Full application seeks to erect a 5 bedroom detached dwelling in its place. The new building is single storey with rooms in the roof space, and sits over the location of the existing with an extension to the western side for the garage, and to the rear elevation. The ridge in the main is 5.7m high, with the eaves at 2.6m. Due to the level change in the site the gable over the garage end will sit at 6.7m as this area will be dug into the slope. The existing has eaves at 2.6m, and the main ridge at 3.6m.
- 2.2. The house is essentially rectangular in shape with gable extensions, two at the front, including a main one incorporating the garage with master bedroom over, and a smaller one incorporating the main entrance. Three gables come out at the rear. The overall footprint at ground floor is 150sq m and 130 sq m at first floor level compared with the original at 120 sq m.
- 2.3. The proposed dwelling will utilise the existing access point and will provide similar parking arrangements.

3. SITE AND SURROUNDINGS:

- 3.1. The existing building is a dormer bungalow and whilst the main part is an old building, it has been extended more recently somewhat unsympathetically. The property sits towards the front of the site and is accessed via a drive at the western end of the frontage. The frontage is elevated from the main road itself (by several metres) resulting in grass verge and stone retaining walls.
- 3.2. The main part of the building is white render on a stone plinth with a stone faced pitched roof porch and two small bay windows. The roof is in red pantiles. To the western end is a gable extension done in stone with a secondary door to the side. There is a visible gap through into the back garden which rises up to a tree lined rear boundary. There is an existing stone retaining wall to this side garden.

- 3.3. The site is located centrally within the village on the main road through. Buildings opposite are historic in nature and set to the back of the roadway, on the application site of the road however buildings tend to be larger detached properties set within larger grounds.
- 3.4. To the west side of the site is a two storey house built of stone with a red brick gable side elevation, and with a single storey lean to on the side closest to the application site. This property features larger windows with heads and cills, and tall chimneys.
- 3.5. On the opposite side of the road are stone terraced, 2 storey houses with stone heads and cills to windows and stone chimneys. There is now a mix of window styles on these properties. End gable elevations are quite prominent due to the road curvature and there are also gable protrusions on both the front and rear elevations. Some of these properties are set down from the road due to the change in levels.
- 3.6. The character of Linton is eclectic with a variety of styles, although a predominance of rural, farm vernacular.

4. RELEVANT PLANNING HISTORY:

- 4.1. 09/01815/FU & 09/01814/CA – Demolition of bungalow and erection of 4 bedroom detached dwelling with integral double garage. Appeals against non determination (references N4720/A/09/2110623 & N4720/E/09/2110620) were dismissed on 03/12/09.
- 4.2. This proposal was for a part single, part 3 storey house with a mix of steeply pitched roofs and flat roofs and large balcony windows at high level on the front gable. The property would sit further into the rear garden area than the existing.
- 4.3. The Inspector considered that the main issue was the effect of the proposed development on the character and appearance of the conservation area. The limited height of parts of the proposal allowed for some visual permeability to the gardens behind, helping to reduce the visual impact within the streetscene. However the reduction in bulk was achieved by introduction of a large flat roofed structure which would contrast markedly with the steeply pitched roofs of the rest of the building. There was no visual integration between these elements and the flat roof would be very prominent in the streetscene. The proposal was therefore considered to be harmful to the conservation area.
- 4.4. The Inspector did not consider that the existing building made any particular positive contribution to the conservation area and at best had a neutral role. However as the plans for redevelopment were not acceptable then the appeal for conservation area consent was dismissed.
- 4.5. No other issues raised e.g. effect on privacy or on the highway were considered to be decisive factors and the appeals were dismissed on the grounds given above.
- 4.6. 07/07530/FU & 07/07531/CA – Demolition of bungalow and erection of 4 bedroom detached dwelling. Refused 07/08/09. Appeals dismissed 23/03/09 due to impact of proposed building on conservation area.
- 4.7. 31/92/94/FU – Single storey side extension. Approved 14/09/94.
- 4.8. H31/42/89/ - Conservation area application to demolish bungalow and erect 5 bedroom detached house. Approved 02/05/89.

5. HISTORY OF NEGOTIATIONS

- 5.1. The applicant has provided additional information regarding the access point.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 A site notice of development affecting the character of a conservation area was posted on 21/07/10 and neighbour notification letters were sent out on 13/07/10. Publicity expired on 13/08/10.

Ward Councillor Comment

- 6.2 Councillor Rachael Procter has concerns regarding the more modern elements of design and the impact this will have on the character of the conservation area. She also raises concern about loss of the cobblers building.
- 6.3 Councillor Castle objects to both applications and would also like to see retention of the original cobblers premises as it is associated with the heritage of the village. The design of the replacement is also not considered to be of sufficiently high quality for its position on Main Street.

Parish Council

- 6.4 Following a Parish Council meeting it was agreed that separate, specific comments regarding an objection against the proposed development would not be submitted. However it recognised that some neighbours and other residents would object and submit reasons seeking to request that the proposed development be refused planning permission. The Parish Council expresses its support for such objections, recognising the development is within the conservation area.

Other Bodies

- 6.5 The Council for the Protection of Rural England object to the proposed new house as it does not have features which reflect surrounding house design. The design is also considered to lack imagination and has too much of a modern feel.

Public Representation.

- 6.6 6 letters of objection have been received which raise the following concerns.
- Object to the loss of the cobblers premises due to its heritage.
 - New house does not comply with the Conservation Area Appraisal.
 - New house not of sufficient architectural quality.
 - Building is too big for the plot.
 - Poor setting.
 - Access is dangerous due to angle and blind bend.
 - Construction traffic will block Main Street.
 - Location is highly prominent.
 - A smaller building incorporating the cobblers premises would be better.
- 6.7 5 letters of comment raise the following issues;
- No objection to the building but concerns over the access.
 - Can garage be moved to other end of building?
 - Proposal is satisfactory if the plans are accurate in relation to height.
 - Better than previous proposals but could still be improved upon.

7. CONSULTATIONS RESPONSES:

Statutory:

- 7.1. None required.

Non-statutory:

7.2. Highways – no objection as this is a like for like replacement and uses the existing access, although this is recognised as being tight.

8. PLANNING POLICIES:

Development Plan –

8.1. The statutory Development Plan is made up of the Unitary Development Plan Review, along with relevant Supplementary Planning Guidance/Documents. Under the UDP the site is designated as conservation area.

8.2. Unitary Development Plan (Review) (UDPR)

- GP5 – general planning considerations.
- GP11 – sustainable development.
- H4 – Main urban areas.
- N12 – Urban design principles.
- N13 – building design principles.
- N18A - N18A – there is a presumption against any demolition of a building which makes a positive contribution to the character and appearance of the Conservation Area.
- N18B – consent for demolition will not be given unless detailed plans for redevelopment of the site are approved.
- N19 - all new buildings and extensions within or adjacent conservation areas should preserve or enhance the character or appearance of the area by ensuring that:
 - i. the siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;
 - ii. detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;
 - iii. the materials used are appropriate to the area and sympathetic to adjoining buildings, Where a local materials policy exists this should be complied with;
 - iv. careful attention is given to the design and quality of boundary and landscape treatment.
- BD5 – general amenity concerns.
- BC7 – use of local materials.

Relevant supplementary guidance –

8.3. Linton Conservation Area Appraisal and Management Plan (adopted February 2010). – The building is not identified as a positive building in the Conservation area. The village has a distinct rural feel with a variation of building types and lots of converted farm buildings, especially on Main Street. Buildings should be no taller than 2 storey's high and 2 – 3 bays wide. There should be no single dominating structure.

Government Planning Policy Guidance/Statements

8.4. PPS1 – Sustainable development and climate change. Paragraph 38 advised that Local Planning Authorities should not seek to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is

however proper to seek to promote or reinforce local distinctiveness particularly where supported by clear plan policies or Supplementary Planning Document on design.

- 8.5. PPS3 – Housing. Paragraph 13 advises that design which is inappropriate in its context or which fails to take the opportunity available for improving the character and quality of an area and the way it functions, should not be accepted. Both PPS1 and PPS3 advise that design goes beyond the mere appearance and layout and encompasses issues of accessibility, sustainability, community cohesion and placemaking.
- 8.6. PPS5 – Historic Environment. HE9.5 - Not all elements of a Conservation Area will necessarily contribute to its significance. When considering proposals, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping.

9. MAIN ISSUES

- Principle of development.
- Impact of demolition on conservation area.
- Impact of proposed new build on conservation area.
- Impact on residential amenity.
- Impact on highway safety.

10. APPRAISAL

Principle of Development

- 10.1. The development would represent a replacement home, lying largely within the existing built footprint. The proposal results in the loss of approximately 10 sq m of garden land over the existing layout. This is considered to be a minimal incursion into the garden area and as such no objection is raised to the principle of the development.
- 10.2. Although the village is not classed as being part of the main urban area, it is close to local facilities in Collingham and Wetherby, and given the fact that it does not increase the housing stock in the area then the principle of residential development at this site is acceptable and would comply with policy H4 and guidance in PPS1 and PPS3.

Impact of Demolition on Conservation Area

- 10.3. A number of objections have been raised to the loss of the cobblers premises at the site. This is the original part of the building which has been extended over time, and appears on maps dating back to 1800's. The building has however not been identified as a positive building in the Conservation Area appraisal, and the extensions that have taken place have further detracted from the original building. The building itself was assessed to have a neutral impact on the Conservation Area by the last Inspector at appeal and no concern was raised to its loss only to the redevelopment. Furthermore permission has previously been granted for its demolition through application reference H31/92/94/89/ although this was not implemented and will have expired long ago.
- 10.4. Comment has been made about a development incorporating the original building being acceptable however no such application has been made and this is not before us for consideration.
- 10.5. No objection has been raised to the demolition by the Council's Conservation Officers. The loss of the building is not judged to be detrimental to the conservation area's

character or appearance and subject to a suitable redevelopment being tied in then it is considered that consent should be granted. Subject to the above the proposal would comply with policies N18A and N18B and with guidance in PPS5.

Impact of the New Dwelling on the Character and Appearance of the Conservation Area

- 10.6. The proposed new building has sought to take account of previous Inspectors comments about what is acceptable for this site. Whilst previous proposals have tried to minimise impact by eating back into the site, this one reflects more the footprint of the original, although it does extend it to the side. There is a small rearward extension but on the whole it retains a much better balance of house and garden space, whilst respecting the original building line.
- 10.7. The proposed building is to be 1.5 storeys utilising the roof space for the first floor bedrooms. This respects the requirement of the Conservation Area Appraisal and also the heights of the original building and neighbouring property. Additional space is gained by incorporating gable extensions to both front and rear and this helps to break up the massing of the building, and provides an appearance of growth over time that reflects many buildings around.
- 10.8. The building elevations uses small, square windows with heads and cills which is quite typical of local vernacular, and the use of tall chimneys helps to add further local characteristics. The appearance relies on simple, clean building lines, and features a recessed porch. This is unusual; however individuality is a key character of this conservation area. The large garage door incorporates an arched head which provides a feature not untypical of a converted farm building. These elements of appearance are considered to result in a simple, rural appearance that responds positively to the character of buildings around.
- 10.9. The building is proposed to be in local limestone, laid to random courses, with a blue slate roof and timber windows and doors. These materials are all considered acceptable for this area. A design officer has assessed the scheme and has no objections to the proposal.
- 10.10. The slope of the land will make any building on this site relatively prominent and this is added to by the increased width of the new building, however the height is being kept down and the rear vegetation will be visible due to the slope of the land at the rear. The frontage area is not being changed much from the existing layout with the existing access being retained.
- 10.11. A number of comments have been made that the design is not of a high enough quality. There is a slight lack of coherence in the area given the disparity in styles between one side of the road and the other, and many of the original buildings feature small architectural details that many would consider as “quirks”. It would therefore be difficult to produce something of a similar style without ending up with a poor replica. By remaining simple this building does not seek to compete with these more historical buildings, however it picks up on elemental characteristics that many of the other properties share. The quality of the finish will in large part depend on the use of quality materials for walls, roof, windows and doors and a condition is suggested to ensure that appropriate materials are used.
- 10.12. Overall it is considered that this proposed building is of an acceptable character for this conservation area as it picks up on local characteristics whilst providing its own individuality. The simplicity of the frontage will help it to blend in over time and means that it will appear unpretentious. The building is considered to provide an enhancement to the area, unlike the existing building which has only a neutral impact. The proposal therefore complies with policies N13, N18A, N18B, BC7, and with guidance in the Conservation Area Appraisal, and PPS5.

Impact on Residential Amenity

- 10.13. The building will sit on a similar footprint to the existing property, so concerns regarding overlooking to front and rear do not arise. The western elevation comes much closer to the boundary with the neighbouring bungalow. There is still an ample gap left between the two buildings, and the bedroom window on the front elevation is unlikely to result in overlooking due to the angling of the two buildings. On the rear elevation is a bathroom window which can be obscure glazed to prevent any overlooking.
- 10.14. There is a chance that the closer proximity of the building to the boundary could result in dominance and overshadowing, however the limited height of the building, effectively appearing single storey with roof, to the side, coupled with a drop in levels onto the site, helps to reduce this impact, and the east/west orientation of the building will help to minimise overshadowing impact.
- 10.15. The proposed new building is therefore not considered to result in detriment to residential amenity for intended residents or those neighbouring, and the proposal therefore complies with GP5 and BD5.

Impact on Highway Safety

- 10.16. A number of concerns have been made by residents regarding the safety of the access point. It is acknowledged that the access point is limited in its visibility due to its location, angle and slope. However this is an existing access point and the level of use of this access is not being increased. Highways officers have accepted that a like for like replacement is acceptable. The applicant has looked at locating the access on the other side of the frontage; however the slope of the land at this end is not suitable and would require additional works which could be detrimental to the appearance of the area.
- 10.17. Concern is also raised regarding the impact of construction traffic given the limited width of Main Street and the accepted issues of parking and visibility that exist in the village in general. This however is not a material planning concern that could require refusal of an application; it is though recommended that a condition be put on any permission that requires a plan for how construction traffic will be managed.

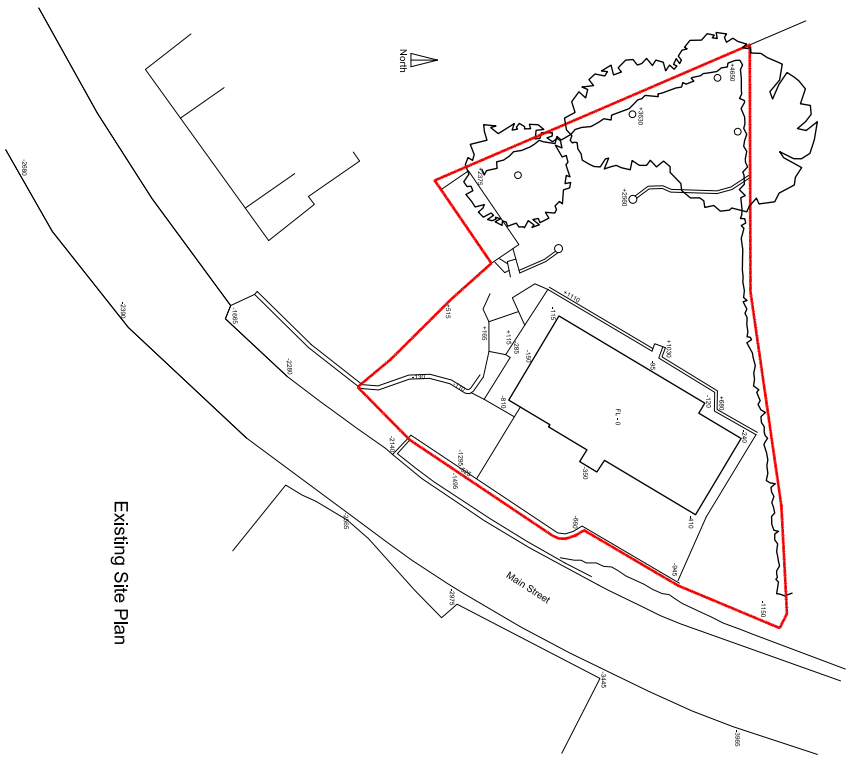
11. CONCLUSION

- 11.1 The proposed redevelopment is considered to preserve and enhance the character and appearance of the conservation area, and will not result in any harm to amenity or highway safety. The redevelopment is considered to comply with relevant policy and guidance. The demolition of the existing building is also not considered to result in harm to the conservation area and subject to a contract tying in redevelopment of the site then the scheme is recommended to Members for approval.

12. Background Papers:

Application and history files. – see history above.

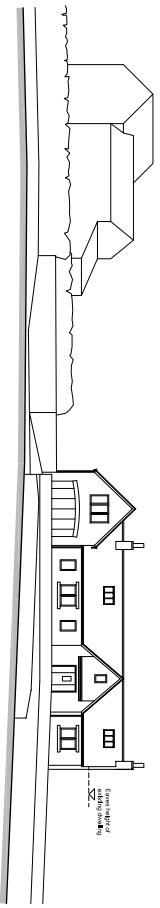
Certificate of Ownership: signed as applicant.



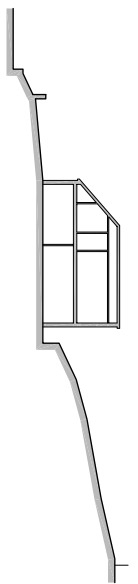
Existing Site Plan



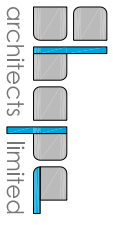
Proposed Site Plan



Proposed Indicative Street Scene



Proposed Section A-A



Kingswood House
80 Retchingham Lane
Pudsey, Leeds, LS28 4BN
T:0113 2396533 F:0113 2396533
Email: info@stnpeacrchitects.co.uk
www.stnpeacrchitects.co.uk
Registered in England no. 06826297

PROJECT
The Bungalow, Main Street
Linton, Wetherby

EXAMINATION TITLE
Existing Site Layout, Proposed
Site Layout, Section & Street Scene

DRAWING STATUS
Planning

DATE
09/04/2010

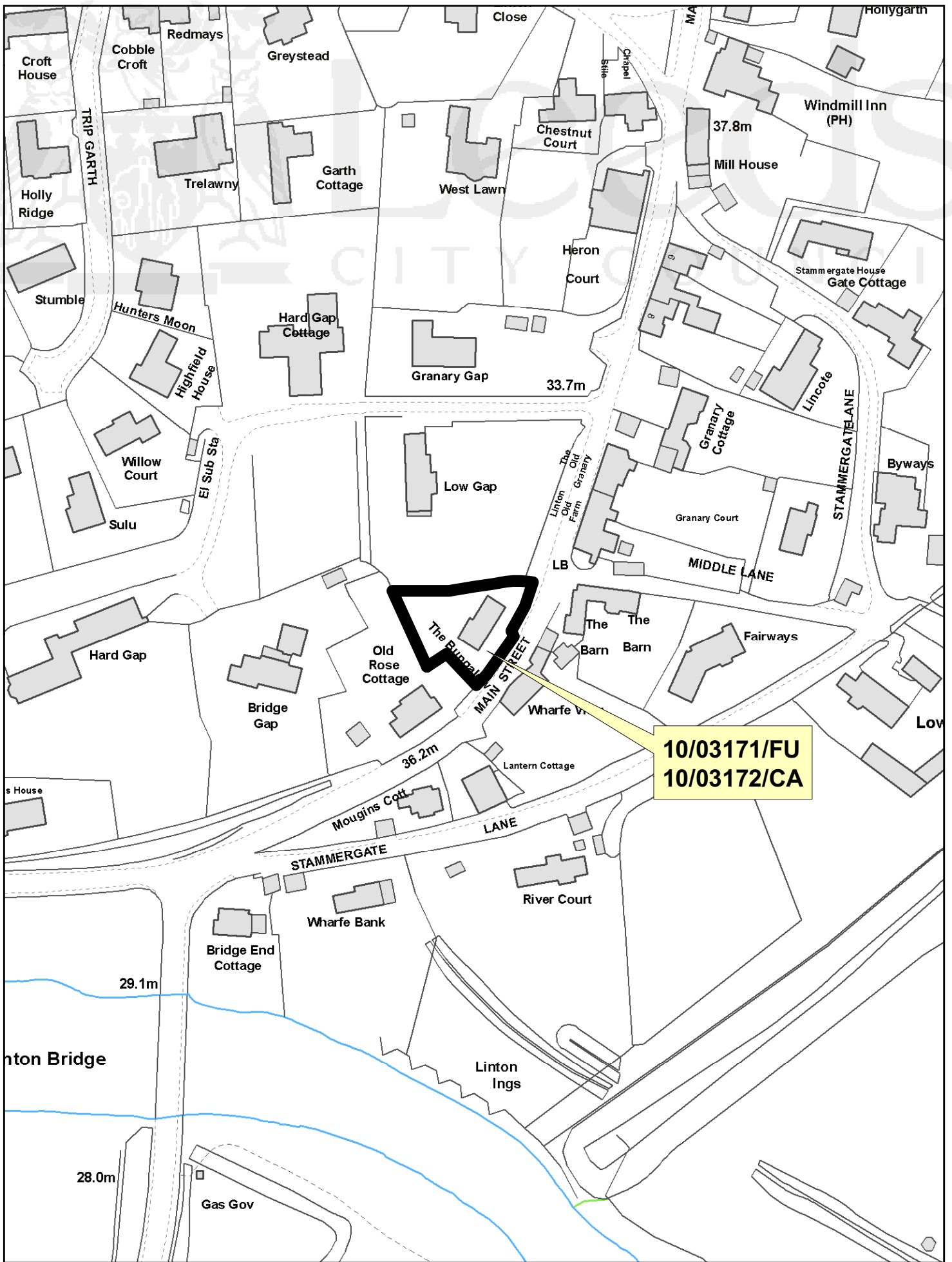
DRAWN
MB

SCALE
1:200 @ A1

PROJECT NO
112-001

DRAWING NO
D002

REVISION
A



EAST PLANS PANEL





Originator: Victoria Hinchliff
Walker
Tel: 39 51343

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October 2010

Subject: APPLICATION 10/00337/FU - Two storey rear extension at Ryder Cottage, Main Street, East Keswick, Leeds, LS17 9EU

APPLICANT	DATE VALID	TARGET DATE
R Thornton	03.02.10	31.03.10

Electoral Wards Affected: Harewood

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: REFUSE permission for the reasons given below;

1. The proposed extension will, as a result of its form, bulk and massing, appear unduly prominent and overly dominant within the street scene, and will have an unbalancing and dominating impact on the existing dwelling. The extension is therefore considered to have a detrimental impact on the character and appearance of the Conservation Area and on the dwelling and is contrary to policies GP5, N19, BD5, BD6, and to guidance contained within the East Keswick Village Design Statement, Neighbourhoods for Living, and PPS5 Historic Environment.

1. INTRODUCTION:

- 1.1. The application is brought to panel at the request of Councillor Rachael Procter, in her role as Ward Member. Councillor Procter does not support the recommendation for refusal and considers that the proposed scheme will not be harmful to the character and appearance of the conservation area. Cllr Procter also requests that a site visit is carried out by Panel Members.
- 1.2. It is considered that there are very finely balanced arguments regarding the impact this proposal will have on the character and appearance of the conservation area. Whilst

the proposal is for a large extension, relative to the size of the existing house, only limited views will be gained of the extension due to screening provided by existing garden enclosures and planting.

- 1.3. The application is out of time, and the applicant could consider an appeal against non-determination.

2. PROPOSAL:

- 2.1. The application seeks approval for a two storey rear extension to the existing dwelling house. The extension is located to the rear on the eastern elevation and is offset towards the southern side of the house. The extension will measure 7.3m long x 5.6m wide x 5.8m to the ridge and 4.3m to the eaves. The ridge and eaves height are roughly similar to the existing building.
- 2.2. The extension features a chimney breast to the southern elevation, large patio doors on the eastern elevation and doorway access to the northern elevation. It will provide accommodation for a dining room at ground floor with a master bedroom, en-suite and a boiler room on the first floor.

3. SITE AND SURROUNDINGS:

- 3.1. The existing dwelling house sits in an irregularly shaped plot in a central location within East Keswick village. The property is located on Main Street and sits at a junction of two main roads within the village. The rise in levels along Main Street contributes further to the prominence of the property.
- 3.2. The existing house is two storeys in height and has been extended at the rear giving an asymmetrical roof and single storey lean-to extension. The property features small windows with heads and cills and is constructed from stone with a slate roof.
- 3.3. The property is surrounded by residential development although there is a substantial rear garden. To the south lies number 1 The Close, which is a modern dormer bungalow whilst to the north lies the Old Forge, which is a property similar in character to Ryder Cottage. The property lies within the conservation area of East Keswick.

4. RELEVANT PLANNING HISTORY:

- 4.1. 082/06139/FU - two storey rear extension. This application was withdrawn on 22/12/08 following concerns raised by the case officer regarding the impact of the extension on the host property and on the wider character of the conservation area. The scheme was withdrawn with the intention of negotiating a solution however, following negotiations the scheme before Members today is substantially unaltered from that which was withdrawn under this 2008 application.
- 4.2. H31/8/90/ - alterations and extensions. Approved 08/03/90.
- 4.3. An adjacent property to the north, Stocks Garth, has permission for a part two storey, part single storey side extension, single storey rear extension, conservatory to side, dormer windows and attached garage under planning permission reference 07/03420/FU approved 09/08/07.

5. HISTORY OF NEGOTIATIONS

- 5.1. Prior to the submission of this application negotiations were undertaken with the applicants and this has continued throughout the process of the application. Officers have sought to have the plans revised to reflect their concerns through lowering the ridge and trying to make the rear extension look visually separate from the host property. The primary aim in requesting this was to ensure that the extension appeared subservient to the original building which is a key guideline for house extensions (policy BD6). It was considered that this could be achieved by inseting part of the extension close to where it joined the existing dwelling, altering the roof line, and

utilising different materials which would give a clear visual break between the two elements.

- 5.2. The application has undergone the Senior Officer Review process during which further discussions were had with the applicants to try and achieve a compromise along the lines given above. It was considered that the proposed alterations would help to overcome the issue of subservience, whilst enabling the footprint to be retained.
- 5.3. The applicants have considered various options however believe the current proposal to be the most appropriate for the house and their needs.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 A notice of an application which affects the character of a conservation area was posted on 17/02/10. Publicity expired on 11/03/10. Neighbour notification letters were also sent out to neighbouring houses.
- 6.2 Cllr R Procter supports the scheme in principle, but would like to see some minor alterations:-
 - Drop the eaves if possible.
 - Patio doors to the rear elevation should be more in keeping with the existing building with regard to pane style.
 - Materials should match the existing.
- 6.3 Cllr Procter supports this scheme in principle subject to some minor alterations, however if Planning Officers recommend refusal on the scheme it is requested that it goes to Plans Panel East with a site visit as it is considered that the scheme does not harm the character of the Conservation Area or have an adverse impact upon the existing building.
- 6.4 No other responses have been received.

7. CONSULTATIONS RESPONSES:

Statutory:

- 7.1. None required.

Non-statutory:

- 7.2. Conservation Officer - the extension is too big, of the wrong form and it spoils the simple vernacular appearance of the existing building. It is not considered that it is possible to reconfigure this amount of accommodation in an acceptable way and refusal is recommended.

8. PLANNING POLICIES:

Development Plan –

- 8.1. The statutory Development Plan is made up of the Unitary Development Plan Review, along with relevant Supplementary Planning Guidance/Documents. Under the UDP the site is designated as within the East Keswick Conservation Area and the village centre.
- 8.2. Unitary Development Plan (Review) (UDPR)
 - GP5 – general planning considerations
 - N19 - all new buildings and extensions within or adjacent conservation areas should preserve or enhance the character or appearance of the area by ensuring that:
 - i. the siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;

- ii. detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;
 - iii. the materials used are appropriate to the area and sympathetic to adjoining buildings, Where a local materials policy exists this should be complied with;
 - iv. careful attention is given to the design and quality of boundary and landscape treatment.
- BD5 – general amenity concerns.
 - BD6 - alterations and extensions should respect the scale, form, detailing and materials of the original building.
 - BC7 - development within conservation areas will normally be required in traditional local materials.

Relevant supplementary guidance –

8.3. SPG18 East Keswick Village Design Statement - identifies Ryder Cottage as a positive building within the central core of the village. Development within the village should take due account of positive buildings, and should respect the scale and design of the building, achieving a rural vernacular, avoiding high gables, steep pitches and hipped roofs. Buildings in the area traditionally have low eaves with windows underneath, sash windows and feature chimneys incorporated into gables.

8.4. Neighbourhoods for Living.

Government Planning Policy Guidance/Statements

8.5. PPS1 - Delivering sustainable development plus climate change supplements.

8.6. PPS3 – Housing.

8.7. PPS5 - Historic environment.

9. MAIN ISSUES

- Impact of extension on the application property.
- Impact of the extension on the conservation area.
- Impact of the extension of residential amenity.

10. APPRAISAL

Impact of Extension on the Application Property

- 10.1. The proposed extension will incorporate the existing single storey rear extension, increasing the length of this current extension by a further 4m and adding a further 7.3m to the full depth of the original building. A second-storey will be added and a new gable end created with bedroom windows inserted at first floor level on the gable end.
- 10.2. The property is currently a three-bedroom, two bathroom house with a separate dining room and living area on the ground floor. The extension will create a four bedroom, three bathroom house with a new dining area and conversion of the existing dining area into a study.
- 10.3. The existing single storey rear extension is of a fairly standard form, but it is clearly subservient to the main house and is not visible from the street scene. The proposed extension, however, will become the dominant feature of the rear elevation and would add considerably to the massing and bulk of the property producing a very different form of dwelling and view of the side elevation from the street scene (albeit that only

the upper part of the extension will be visible above the existing boundary treatment and landscaping).

- 10.4. As a result, the proposed extension due to its massing and scale is considered to be out of keeping with the application property and to have a detrimental impact on visual amenity, contrary to policy BD6.

Impact of the Extension on the Conservation Area

- 10.5. The extension also has to be considered in terms of the impact on the conservation area, especially as the existing house is considered to have a positive impact on the character of the area.
- 10.6. The extension is to the rear, but it will however be visible within the street scene due to location of the property adjacent to the side garden area associated with number 1 The Close and also due to the increase in levels as you travel northwards up Main Street. The view from the south therefore will change from looking onto a 7m wide side elevation to a view looking onto a 15m wide side elevation, effectively doubling the depth of the building at first floor level. The roof form will also be elongated along this side elevation due to the asymmetric nature of the host roof and the whole will produce an unbalanced look with the rear section appearing as the dominant form.
- 10.7. Currently there are boundary enclosures and vegetation on the boundary between the host property and number 1 The Close providing screening of the ground floor element of the proposed extension. This planting is however deciduous in nature and as such will provide less screening during the winter months. Such features are also subject to change and pruning by the owners.
- 10.8. On balance, it is considered that the property is a highly visible building which contributes significantly to the character of the area and that the extension will also be visible from the southern approach along Main Street. Due to the form, bulk and dominance of the extension it is considered that it will detract from the character and appearance of the conservation area and from the character of this positive building. The proposal is therefore considered to be contrary to the principles laid down in the Village Design Statement, and to policy N19.
- 10.9. An adjacent property, Stocks Garth, is currently extending out in a similar fashion with a two storey side extension which includes dormer windows. This has been considered, however this property is sited to the rear of properties that front onto High Street, as a result it is little visible within the street scene and wider views. The extension also appears lower than the host's ridge, and it appears set back from the frontage. It is therefore considered that the scheme before Members today is different to its neighbour by virtue of the prominence and importance of the building to the wider conservation area.
- 10.10. Further along Main Street is another property called Vesper Cottage which has very recently had a first floor front extension refused and dismissed at appeal (reference 10/00829/FU). In considering this scheme the Inspector felt that the building was in a very prominent location within the conservation area, and the impact of this extension (which added a first floor to an existing porch) would be detrimental. The Inspector set out that "By extending above the existing front porch, the simple shape and character of the dwelling, with its unspoilt eaves and roofline, would be lost and the resulting form of the dwelling would appear unduly obtrusive and over-dominant in the street scene" (para. 3). This was further exacerbated by the fact that it would likely be difficult to match materials to the existing house resulting in further visual disparity. A similar problem is likely to be encountered with Ryder Cottage with the definition of the simple form of the southern gable of the existing dwelling being lost due overall size and siting of the extension.

Impact of the Extension on Residential Amenity

10.11. No windows are proposed to the southern elevation which lies very close to the adjacent boundary with number 1 The Close (approximately 0.6m to 1m distance). This will reduce any overlooking and due to its orientation it is unlikely to result in any overshadowing of the garden area.

10.12. The extension will appear prominent from the garden of number 1 however, the garden area associated with this property is extensive and wraps around the house so it is not considered that this dominance will have a significant detrimental impact on the residents. There are no other residential amenity issues arising from this proposal.

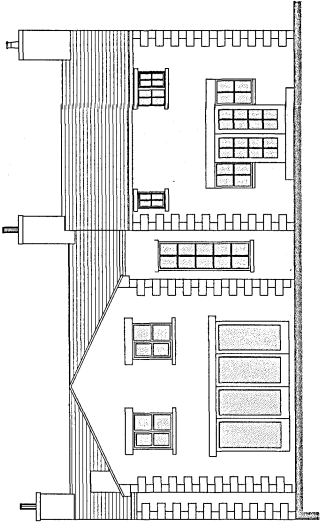
11. CONCLUSION

11.1 The existing dwelling is a prominent building within the conservation area that makes a positive contribution to the character and appearance of the area. The southern gable of the dwelling is clearly visible as the property is approached from the south along Main Street. This is a large extension relative to the size of the existing dwelling and particularly to the southern gable. However, balanced against this it is only the upper part of the extension that will be visible from most public vantage points as existing boundary enclosures and garden planting will serve to screen the lower part of the extension. Nevertheless it is considered that the extension by reason of its siting, height and depth will serve to dominate and compete with the existing gable of the dwelling and on balance it is considered that this will cause harm. As a result of the factors described it is considered that it will dominate the existing property and will result in an unbalanced house form that fails to enhance the positive aspects of the conservation area. The proposal is therefore considered to fail with regard to policies GP5, N19, BD5, BD6, and to guidance laid down in the East Keswick Village Design Statement, Neighbourhoods for Living and PPS5.

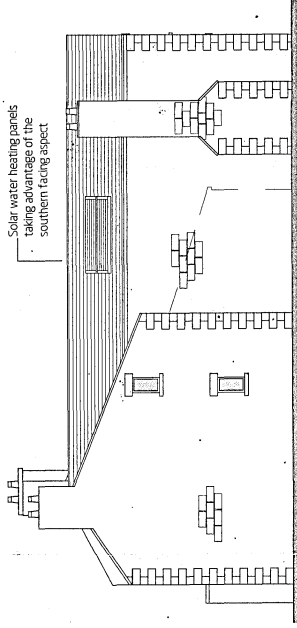
12. Background Papers:

Application and history files. – see history above.

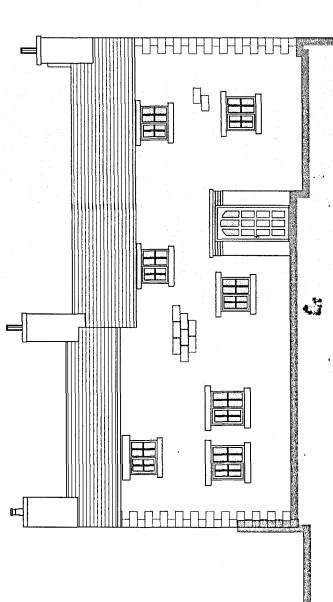
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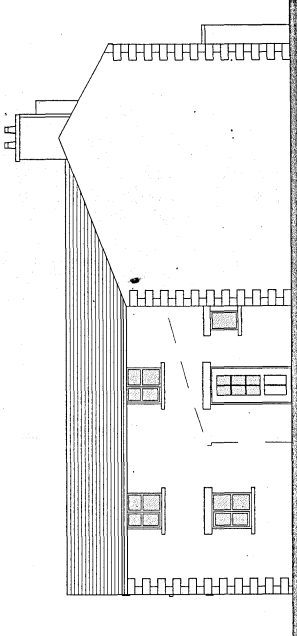
East Elevation



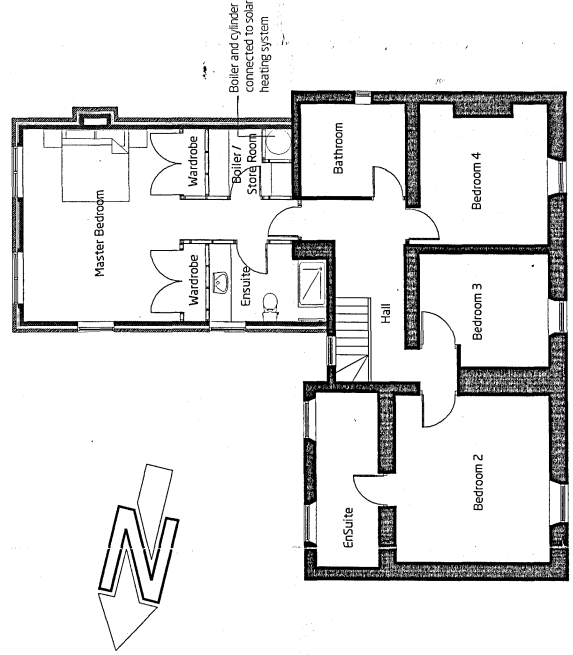
South Elevation



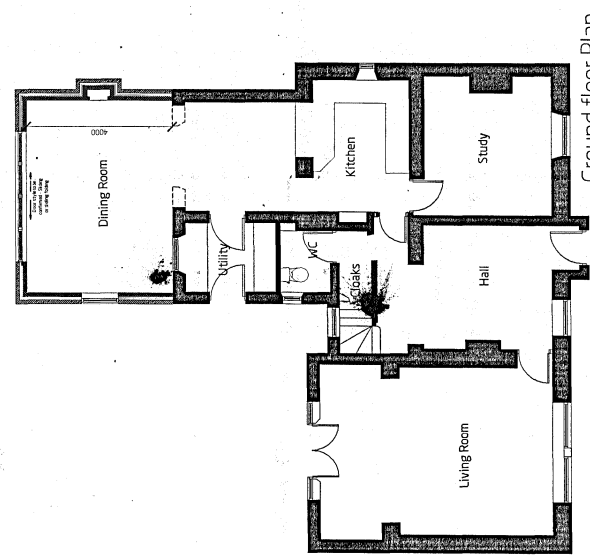
West Elevation



North Elevation



First floor Plan



Ground floor Plan

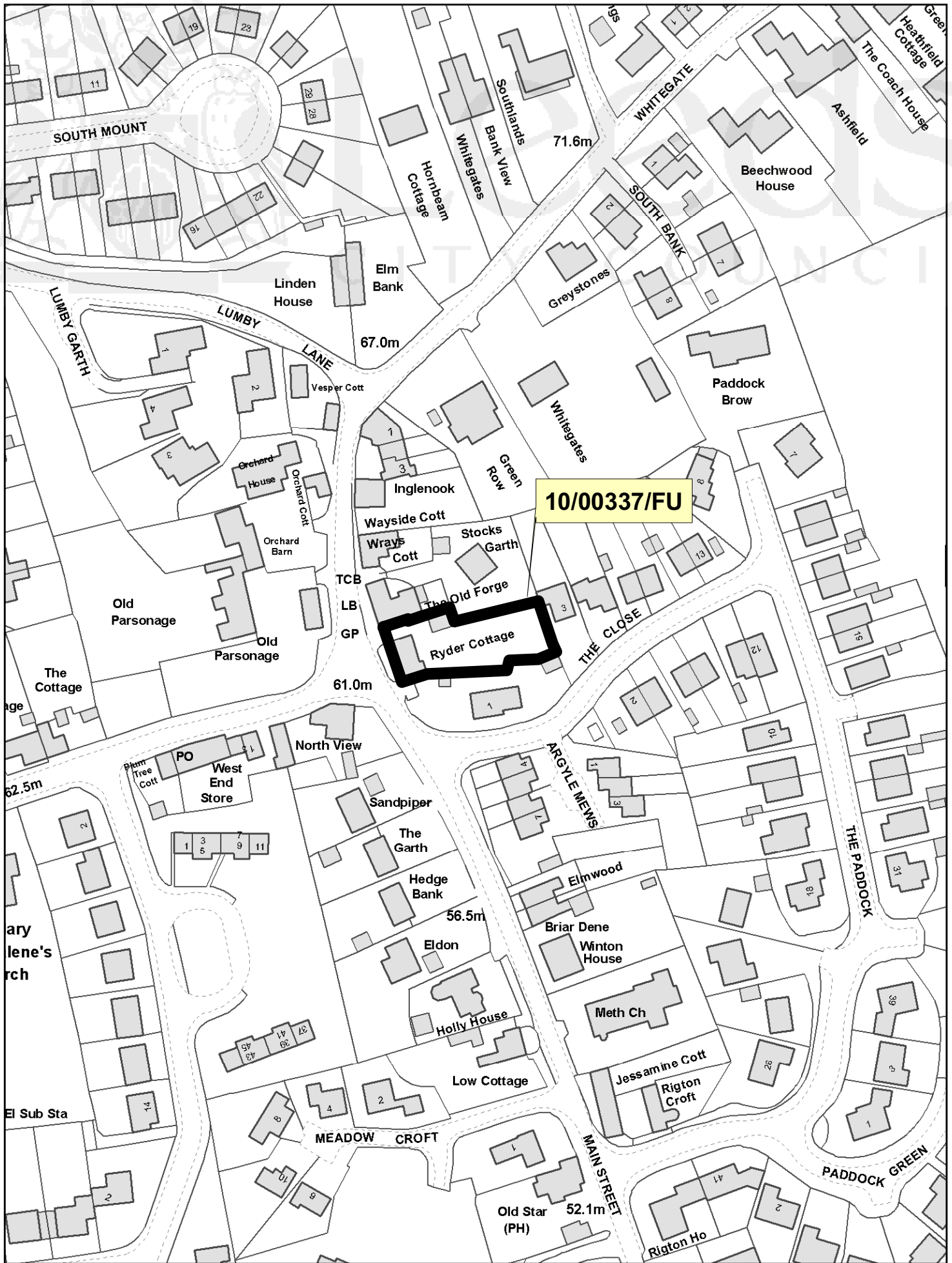
PLANNING
subject to structural review

<p>REVISIONS</p> <p>D 15/01/08 REVISED PLANNING SUBMISSION</p> <p>B 01/12/08 REVISED IN RESPONSE TO PLANNERS COMMENTS</p> <p>A 18/02/08 REVISED IN RESPONSE TO CLIENTS INSTRUCTIONS</p>	<p>DATE</p> <p>15/01/08</p> <p>01/12/08</p> <p>18/02/08</p>	<p>BY</p> <p>PH</p> <p>PH</p>	<p>PROJECT</p> <p>Ryder Cottage Main Street East Keswick</p>	<p>DATE</p> <p>May 08</p>	<p>SCALE</p> <p>1:100 @ A2</p>	<p>DATE</p> <p>22/07/08</p>	<p>CLIENT</p> <p>PH R Thornton</p>	<p>PROPOSED EXTENSION AND ALTERATIONS PLANS & ELEVATIONS</p>	<p>DATE</p> <p>May 08</p>	<p>SCALE</p> <p>1:100 @ A2</p>	<p>DATE</p> <p>22/07/08</p>	<p>CLIENT</p> <p>PH R Thornton</p>	<p>DATE</p> <p>May 08</p>	<p>SCALE</p> <p>1:100 @ A2</p>	<p>DATE</p> <p>22/07/08</p>	<p>CLIENT</p> <p>PH R Thornton</p>	<p>DATE</p> <p>May 08</p>	<p>SCALE</p> <p>1:100 @ A2</p>	<p>DATE</p> <p>22/07/08</p>	<p>CLIENT</p> <p>PH R Thornton</p>
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Ryder Cottage, EAST KESWICK

DO NOT SCALE - ALL DIMENSIONS & LEVELS TO BE CHECKED ON SITE - THIS DRAWING IS COPYRIGHT



EAST PLANS PANEL





Originator: G Read

Tel:0113 2478000

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October, 2010

Subject: APPLICATION 10/03829/FU - 12 roof-mounted solar panels to side at Casa Blanca, Church Causeway, Thorp Arch, Wetherby, LS23 7AE

APPLICANT
Mrs W Kemp

DATE VALID
13.09.2010

TARGET DATE
08.11.2010

Electoral Wards Affected:
Wetherby

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:

1. Development permitted shall be begun before the expiration of three years from the date of this permission.
2. Development permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reasons for Approval: The application proposal is not considered to cause to the harm to the character or visual amenities of the area and is considered to comply with policies GP5, BD6 and N19 of the UDP Review 2006, HE1.1 of PPS5: Planning for the Historic Environment and further information contained within the Thorp Arch Village Design Statement, having regard to all other material considerations and as such the application is considered acceptable.

1.0 INTRODUCTION:

- 1.1 The application is reported to Panel for determination with a request for a site visit at the request of Councillor J Procter given the sites location within and the proposals

impact on the Conservation Area, as well as the views available of the site from the edge of the village.

2.0 PROPOSAL:

2.1 The applicant seeks permission for 12 solar panels to be erected on the side elevation of their property. These will be in two rows of 6 panels and cover roughly two thirds of the side roof (facing east). They will project 85mm beyond the tiles currently on the roof.

3.0 SITE AND SURROUNDINGS:

3.1 The application site consists of a detached property set at the end of a row of dwellings of differing house types and styles. It is set on the outskirts of the Thorp Arch conservation area with open fields to the east. The property is rendered and has a prominent front gable, the main section has a pitched roof but a flat roof section is also in place. The property is set in good sized grounds and is set back from the highway. A detached garage is located at the end of the drive. Solar panels are also in place on the front elevation but these have been on the property for many years before the site was within the conservation area.

4.0 RELEVANT PLANNING HISTORY:

4.1 None.

5.0 HISTORY OF NEGOTIATIONS:

5.1 None.

6.0 PUBLIC/LOCAL RESPONSE:

6.1 Three local residents have written in to support the scheme.

7.0 CONSULTATIONS RESPONSES:

7.1 Thorp Arch Parish Council - No objections to the fitting of the solar panels. However, it was suggested that LCC Highways might check that there is no danger of motorists on Church Causeway being dazzled by reflected sunlight.

8.0 PLANNING POLICIES:

8.1 Local – Leeds Unitary Development Plan (Review 2006) Policies:
GP5: Gives advice in relation to new development stating that all new development should not have a detrimental impact on amenity.
BD6: Gives advice in relation to extensions to residential properties which states that extensions should respect the scale, form, detailing and materials of the original building.
N19: Development within the conservation area should preserve or enhance the area.

9.0 MAIN ISSUES

9.1 Conservation Area.

Townscape / Design and Character.
Overshadowing / Over dominance.
Representations

10.0 APPRAISAL

Conservation Area

- 10.1 The site is located in a prominent position as it is the first property along this section of Church Causeway, a road that extends into the centre of the conservation area and consequently any development to the side will be visible from the public highway. In this instance the property is not a period dwelling unlike many throughout Thorp Arch, rather it is a typical post war detached house with few architectural features worthy of retention. It is not mentioned in the Thorp Arch Conservation Area Appraisal and Management Plan as a building of interest and is constructed using standard post war materials including concrete roof tiles and render. Therefore, the solar panels are not considered to harm the features or character of the dwelling.
- 10.2 PPS 5: Planning for the Historic Environment discusses development that seeks to combat climate change. This sets out the government objectives and supports modifications to certain heritage assets so as to reduce carbon emissions and secure sustainable development, including enhancing energy efficiency. Given the national policy guidance and the style of the host dwelling the incorporation of solar panels is considered to be consistent with policy and on balance the character of the area will be preserved by this proposal.

Townscape / Design and Character

- 10.2 As discussed above the panels set on the roof will be visible from the highway. Whilst they do introduce a further material on the existing roof, this is not considered to contrast adversely enough with the concrete tiles to be considered harmful. The effects of the panels on the roofscape can be broadly seen already as panels are in place on the front elevation. These panels were added some years ago and consequently do not require consent. Here they are visible but do not detract from the character of the property, nor do they make the roofscape overly dominant in relation to the dwelling as a whole. They follow the shape of the roof, are set within the roofscape on all sides and only project 85mm beyond the original plane, creating little additional mass.

Overshadowing / Over dominance

- 10.3 Due to nature of solar panels and their position on the existing roof no overshadowing / dominance is anticipated.

Representations

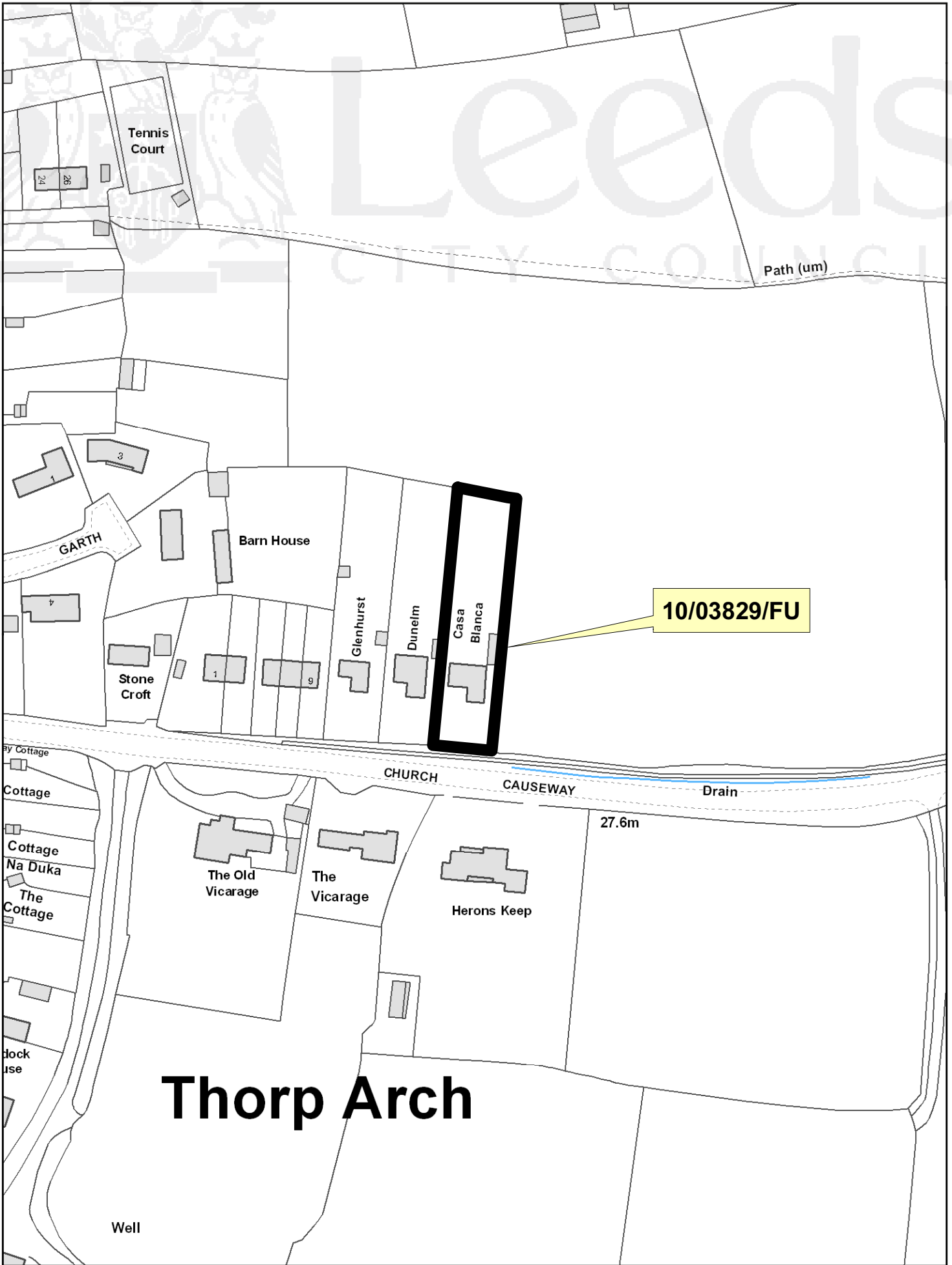
- 10.4 Letters of support have been received from the owners of the three closest neighbouring properties. The comments from Thorp Arch Parish Council have been noted, solar panels primary function is to absorb light and they are not considered to be reflective enough to harm passing motorists in this case.

11.0 CONCLUSION

- 11.1 Consideration has been given to all material planning considerations and on balance it is recommended that consent be granted. Given the small scale of the development and the character of the application property it is considered that the proposal results in harm to the character or appearance of the conservation area.

11.0 Background Papers:

- 11.1 Application and history files.
Certificate A signed by the applicant declaring that all land is owned by applicant.



Thorp Arch

EAST PLANS PANEL



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Originator:	Victoria Hinchliff Walker
Tel:	39 51343

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October 2010

Subject: APPLICATION 10/02650/CA. DEMOLITION OF YOUTH CLUB, DEEPDALE LANE, BOSTON SPA, WETHERBY.

APPLICANT	DATE VALID	TARGET DATE
LCC Corporate Property Management	09.06.10	04.08.2010

<p>Electoral Wards Affected: Wetherby</p> <p><input checked="" type="checkbox"/> Ward Members consulted (referred to in report)</p>	<p>Specific Implications For:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Equality and Diversity</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">Community Cohesion</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">Narrowing the Gap</td> <td style="text-align: right; padding: 2px;"><input type="checkbox"/></td> </tr> </table>	Equality and Diversity	<input type="checkbox"/>	Community Cohesion	<input type="checkbox"/>	Narrowing the Gap	<input type="checkbox"/>
Equality and Diversity	<input type="checkbox"/>						
Community Cohesion	<input type="checkbox"/>						
Narrowing the Gap	<input type="checkbox"/>						

RECOMMENDATION:
APPROVE the application in principle and **REFER** the application to the Secretary of State as the building is owned by the City Council. In the event of the Secretary of State not wishing to intervene, Members are further recommended to **DELEGATE** final approval to the CPO subject to the conditions specified (and any others which he might consider appropriate);

Conditions

1. Standard time limit.
2. Details of landscaping of site prior to demolition.
3. Details of landscape implementation, to be carried out within 3 months of demolition or as otherwise agreed in writing with LPA.
4. Details of landscape maintenance.
5. Replacement planting if necessary.
6. No development shall commence until full details for the arrangement of construction traffic associated with the development have been submitted to and approved in writing by the Local Planning Authority. The details shall include vehicular routes for the construction traffic as well as the proposed parking arrangements. The approved details shall thereafter be implemented in accordance with the agreed methodology.
7. Prior to commencement of any works on site a Construction Method Statement detailing the measures taken to protect playing field from damage and/or

encroachment shall be submitted to and approved in writing by the Local Planning Authority. In the interests of amenity.

Reason for Approval – The proposed demolition involves the removal of a building identified as a positive building in the Conservation Area. However the removal of this building is not considered to result in harm to the Conservation Area visually, and is necessitated by the continued decline of the building structure and relevant safety issues that this raises. The proposal is therefore considered to comply with policies GP5 and N18A, and with guidance contained in the Boston Spa Conservation Area Appraisal and Management Plan, and PPS5 Historic Environment. Furthermore it is considered that there are benefits in removing this building due to its unsound state which outweigh the concerns raised by the lack of future redevelopment proposals, and therefore policy N18b can be justifiably set aside.

1. INTRODUCTION:

- 1.1. This is an application seeking conservation area consent for demolition of an existing building. The application is brought before panel as the demolition is for a Council owned building and as a result under the GDPO the application must be referred to the Secretary of State.

2. PROPOSAL:

- 2.1. The proposal involves the removal of the former Youth Club building in its entirety. There are currently no plans for re-development of the site, and the land will be simply grassed over until such time as a re-development proposal is put forward.

3. SITE AND SURROUNDINGS:

- 3.1. The application site is a Youth Club building which sits within a former group of three similar buildings and all dating from the same time period. The Youth Club is the most western of the buildings, sited at the rear of the public open space close to rear boundaries of neighbouring residential properties. The building is L shaped with an older, original part - single, storey, prefabricated with white render and pitched roof. There is also a later extension, probably 1960's, with different styling and flat roof. The three buildings all originally provided facilities for workers at the nearby Thorp Arch munitions site during World War 2 and after. . A further original building to the east has been demolished and is being replaced by a new children's centre.
- 3.2. The building sits within a large area of public open space which provides a playground, playing pitch, and general landscaping. The site is located close to Boston Spa town centre.

4. RELEVANT PLANNING HISTORY:

- 4.1. None for the building under consideration here. A recent approval and conservation area consent was granted for an adjacent building to make way for a new children's centre (references 09/04818/LA, 09/04825/CA).

5. HISTORY OF NEGOTIATIONS

- 5.1. The applicants have been asked to provide details on what will happen with the land following demolition. There are long term hopes to redevelop the site, however there are no definite plans as yet. For the time being therefore the applicant proposes to grass over the site and maintain it as such.

6. PUBLIC/LOCAL RESPONSE:

- 6.1 A site notice of demolition affecting the character of the conservation area was posted on 23/06/10. Publicity expired on 30/07/10.
- 6.2 Ward Councillor John Procter has been briefed on the proposal.

6.3 Boston Spa Parish Council has written in support of the demolition describing the building as an eyesore.

6.4 No other responses have been received.

7. CONSULTATIONS RESPONSES:

Statutory:

7.1. None required.

Non-statutory:

7.2. SDU Conservation – raise concerns over the loss of the building as no replacement is intended.

8. PLANNING POLICIES:

Development Plan –

8.1. The statutory Development Plan is made up of the Unitary Development Plan Review, along with relevant Supplementary Planning Guidance/Documents. Under the UDP the site is designated as Conservation Area.

8.2. Unitary Development Plan (Review) (UDPR)

- GP5 – general planning considerations.
- N18A – there is a presumption against any demolition of a building which makes a positive contribution to the character and appearance of the Conservation Area.
- N18B – consent for demolition will not be given unless detailed plans for redevelopment of the site are approved.

Relevant supplementary guidance –

8.3. Boston Spa Conservation Area Appraisal and Management Plan – the building is identified as a positive building within the West End character area, an area important for its wartime heritage.

Government Planning Policy Guidance/Statements

8.4. PPS5 – Historic Environment. Policy HE7 sets out how local planning authorities should seek to identify and assess the significance of any Heritage Asset, and whether this significance is of importance to the wider conservation area and to future generations.

9. MAIN ISSUES

- Impact of the loss of this building on the conservation area.

10. APPRAISAL

Impact of the loss of this building on the conservation area.

10.1. The building is proposed for removal due to the economic cost of its continued upkeep. The building is of timber frame construction with weather boarding and rendered walls, deterioration of the building has led to water damage to both the roof and the floor, which has resulted in the building being unsuitable for its continued community use, and it is not considered financially responsible to renovate. This state has continued since at least 2001 when a condition survey identified that it was in poor state with major defects.

10.2. The building is identified as a positive building due to its wartime heritage, however it is considered that very little evidence of this original heritage remains due to the unsympathetic and poorly designed extensions and the internal alterations carried out

as a result of changing use. The adjacent building is considered a better example of this wartime heritage.

- 10.3. The building is little seen from the streetscene, being set well back from the main road and well screened behind mature planting. The building therefore plays no positive role in views across the conservation area.
- 10.4. It is noted that no objections to the removal have been received from members of the public, or from the Parish Council. This would indicate that the building is not considered of significance within the local area, indeed the Parish Council describe the building as an eyesore.
- 10.5. In assessing the significance of this building then it is judged to be very low. Whilst the original building is of a type typical to the era and use it was put to, this has been compromised by later poor additions. The building has no significance for views, and seemingly is of no significance to local people. The loss of this building is therefore not considered to be harmful to the conservation area and would comply with the general guidance given in PPS5.
- 10.6. There are currently no proposals for redevelopment of this site, although this has not been ruled out in future by the applicants. Instead the area will be grassed over, which is not considered detrimental due to the location of the building on public open space. It is considered that such treatment would be appropriate and could be conditioned for. The site remains in local authority ownership so there will be some control over how the site is managed and maintained. In this case therefore policy N18B which requires redevelopment could be justifiably set aside.

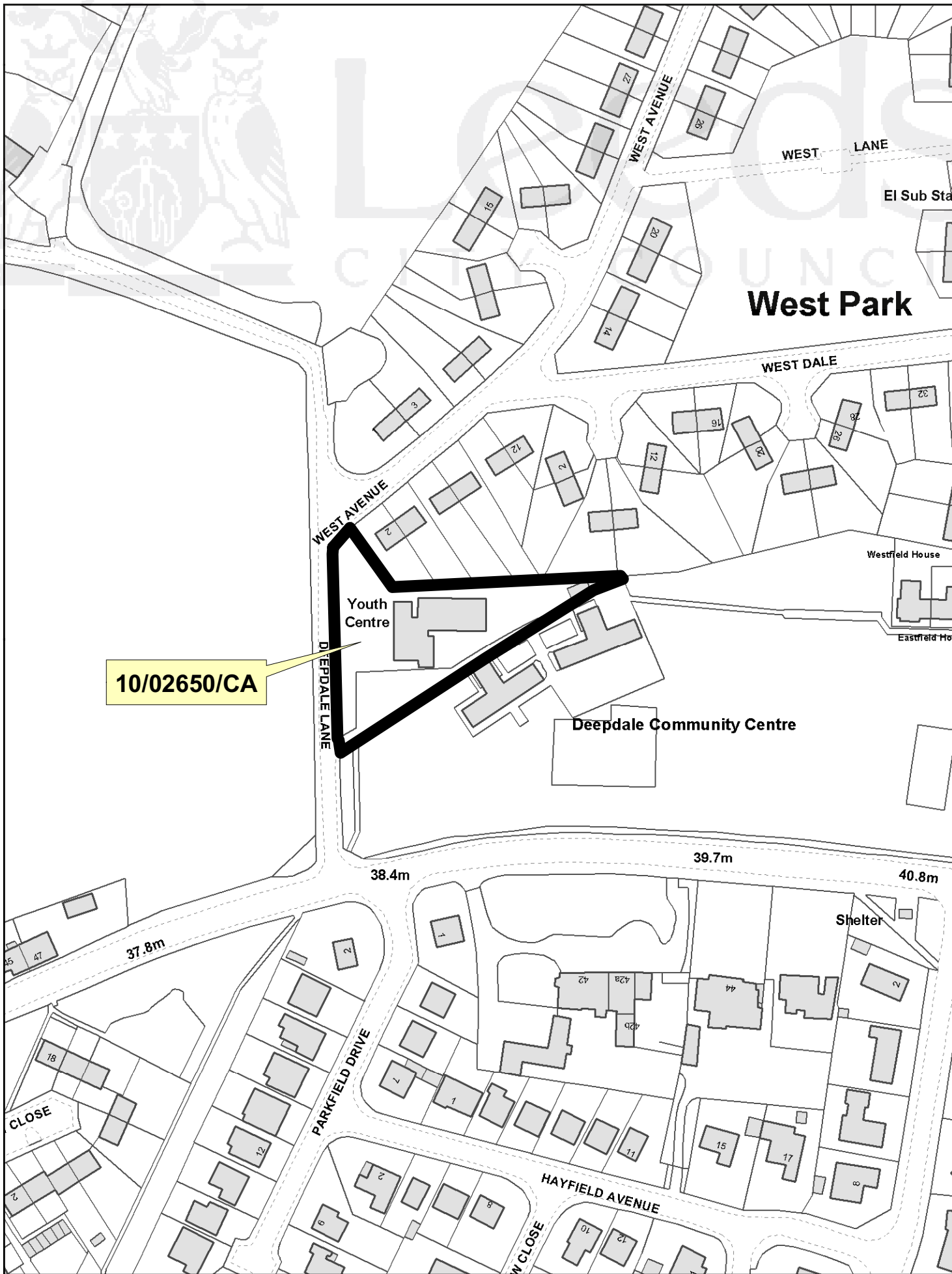
11. CONCLUSION

- 11.1. The proposed demolition of this building is not considered to be harmful to the character or appearance of the conservation area and the building itself is considered to be of very low significance to the local area. The proposed landscaping of the site is considered acceptable. The proposal is considered to meet the aims and guidance set down in N18A, the Boston Spa Conservation Area Appraisal, and PPS5. It is therefore recommended that consent be granted subject to the authority of the Secretary of State.

12. Background Papers:

Application and history files. – see history above.

Certificate of Ownership: signed as applicant.



EAST PLANS PANEL



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Originator: D. Jones

Tel:0113 2478000

Report of the Chief Planning Officer

PLANS PANEL EAST

Date: 28th October 2010

Subject: CONSULTATION BY WAKEFIELD COUNCIL ON PLANNING APPLICATION: 10/00225/OUT – Outline Application for Mixed Use Development including 12000 seat community stadium at Newmarket Lane, Wakefield.

APPLICANT	DATE VALID	TARGET DATE
Yorkcourt Properties Ltd	n/a	n/a

Electoral Wards Affected:
Ardsley and Robin Hood/Kippax and Methley/Rothwell

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION:

Leeds City Council wishes to make the following comments in respect of the proposal. Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District, and there are no concerns in principle over the stadium itself, in the event that Wakefield Council are minded to grant planning permission, then there are strong objections to the scale and impact of the wider development on the Green Belt and transport network in Leeds District. It is recommended that a copy of these representations be sent to the Government Office and that a request is made for the Secretary of State to call-in the application for determination.

1.0 INTRODUCTION:

1.1 Leeds City Council has been consulted by Wakefield Council on a major development proposal close to the Leeds and Wakefield boundary. This report concerns a development proposal for the site which is the same as that previously considered by Plans Panel. (see para's 2.1 and 2.2 below).

1.2 Members will recall that the original submission was considered by Plans Panel (East) in May 2010, and Members raised the following matters at that Panel meeting:

- that the proposals were intrusive and unwelcome
- that this represented inappropriate development in the Green Belt
- that recently the site had been a breeding ground for the little ringed plover
- that local Ward Members had been invited to a meeting about the proposals although the presence of a distribution centre on the site had not been raised
- that alternative proposals in respect of a shared stadium with Castleford Tigers Rugby League club might be more appropriate
- that the new Secretary of State should be made aware of the proposals

1.3 The Panel resolved:

“To note the comments made by Members and that Leeds City Council wished to make the following comments in respect of the proposal: Whilst Leeds City Council does not wish to frustrate regeneration and provision of important community facilities in Wakefield District and there are no concerns in principle over the stadium itself, there are objections over the scale and impact of the wider development on the Green Belt and transport network in Leeds District”

1.4 Following the Plans Panel officers wrote to Wakefield Council informing them of the objections raised by the City Council and requesting that the City Council be consulted on any substantial revisions to the proposed development.

1.5 Whilst the planning application falls to be considered by Wakefield Council the views of Leeds City Council have been sought on the revised scheme, and any further comments raised by the City Council will have to be taken into account in the determination of the planning application. Wakefield Council is due to consider the planning application at their Planning and Highways Committee on 22nd October 2010. However, as the site is within the Green Belt, and due to the scale of development proposed, the planning application will have to be referred to the Secretary of State to see if he wishes to call the application in for his determination.

1.6 Wakefield Planning Officers are making the following recommendation to Committee:

In the event that Members consider the application should be determined rather than deferred for further examination of some of the issues in the report then Members could either refuse the application based on the planning policy issues raised in the report or be minded to approve the application on the basis that there are benefits which outweigh the policy issues raised in the report and subject to conditions, section 106 obligations, referral of the application to the Secretary of State as a departure from the development plan involving green belt land, and the Highways Agency direction being removed.

Should the Secretary of State not wish to call in the application a decision could be delegated to the Service Director subject to a Section 106 covering:-

- a) Requirements of Highways Agency including Travel Plan details
- b) Contract to build stadium before any buildings are brought into use.
- c) Highway requirements of WMDC

- d) Air Quality Monitoring Contribution
- e) The transfer of the stadium site to the Trust for operations purpose and conditions the wording of which to be delegated to the Service Director in consultation with the Chair and Vice Chair.

1.7 This Plans Panel will be up-dated on Wakefield's decision in respect of the application. It should be noted that due to the timing of the consultation with the City Council on the revised scheme this is the first available Plans Panel to which the revised application could be reported. Accordingly Officers have written to Wakefield Council informing them that the revised scheme does not address the concerns raised by the Plans Panel of May 2010 and a copy of this report was attached to that letter. That letter and report should be taken into account by Wakefield's Planning and Highways Committee in considering the application. In the event that Wakefield Council refer the application to the Secretary of State (via the Government Office) the outcome of this Plans Panel will then be made known to the Secretary of State so that the City Council's views are taken into account in the determination of the application.

2.0 PROPOSAL:

2.1 The original proposal, considered by Plans Panel in May, covered a total site area of 86.5 hectares (214 acres) and consists of a community stadium to be occupied by Wakefield Trinity Wildcats Rugby League Club, class B8 warehouse units (146,324 sq m total floorspace), B1 office units (7,024 sq m total floorspace), a 120 bedroom hotel and a class A3 drive-thru restaurant.

2.2 This proposal is substantially the same. For completeness, the proposal also contains a Multi Use Games Area (MUGA) and playing pitches (totalling around 6 500 sq m), and associated transport infrastructure including a Park & Ride facility.

3.0 SITE AND SURROUNDINGS:

3.1 The application site is located to the south east of Junction 30 of the M62 motorway. The northern boundary of the site runs along the southern side of the M62 which also forms the administrative boundary between Wakefield and Leeds metropolitan districts. The site is located within 2km of three settlements in Leeds district, the Rothwell/Oulton urban area to the north, Methley village to the east and Lofthouse/Robin Hood to the west.

4.0 LEEDS CITY COUNCIL CONSULTATIONS RESPONSES:

Highways.

4.1 Concerns are raised (see paragraphs 8.15 to 8.22 below).

5.0 LOCAL RESPONSE:

5.1 Local ward members for Rothwell and Kippax & Methley have been consulted on the proposal. Although no formal letters of objection have been received, representatives from all three wards have indicated that previous objections still stand.

5.2 Members for Ardsley & Robin Hood continue to object to the above application. It is considered that nothing has changed to address concerns and those of the residents in Lofthouse about traffic movement which will affect residents in this area of their Ward. Members have received two additional objections from their constituents from Lofthouse.

6.0 PLANNING POLICIES:

6.1 The proposal needs to be considered against the relevant parts of the development plan for Wakefield which comprises the Wakefield Local Development Framework (LDF) including the Core Strategy (April 2009) and saved policies and allocations from the Unitary Development Plan First Alteration (January 2003). The site Allocations Development Plan Document (DPD) Consultation Draft period expired at the end of September 2010. The DPD allocates only approximately 1/3rd of the application site for development, the allocation being the equivalent of Plots 1a, 1b, 2, 3 and 7. (Proposal W40A Newmarket Colliery warehousing & freight 33.28 ha). Leeds City council formally objected to the DPD on 29 September 2010. The objection is on similar grounds to those objections raised in this report (see paragraphs 8.3 to 8.9).

6.2 Consideration also needs to be given to national planning policy namely: Planning Policy Statement 1 (PPS1) Delivering Sustainable Development; Planning Policy Guidance Note 2 (PPG2) which covers Green Belt issues; Planning Policy Statement 4, (PPS4) Planning For Sustainable Economic Growth; and Planning Policy Guidance 13 (PPG13) Transport.

7.0 MAIN ISSUES

- Green Belt and Policy considerations
- Highways

8.0 APPRAISAL

Green Belt and Policy considerations

8.1 Wakefield Council want to offer support to maintain the Super league status of their local rugby league club. This necessitates a new stadium the construction of which requires additional enabling development to help meet the costs. The Wakefield position is that they have searched for a suitable site and that this is the most appropriate location for the stadium and the associated development.

8.2 Principle of Development in the Green Belt

8.3 The application proposal represents a significant intrusion into an area in the Green Belt. This is inappropriate and harmful to the purposes and objectives of Green Belt as defined in PPG2. The proposal will narrow the extent of Green Belt separating the urban areas in the north of Wakefield and south of Leeds. Such inappropriate development can only be justified in very special circumstances, and it is considered that these have not been demonstrated.

8.4 Currently, the Green Belt extends on both sides of the M62 corridor into Wakefield and Leeds districts. This proposal would set the precedent of extending urban development right up to the motorway on the Wakefield side of the boundary. It

would also lead to inevitable pressure for similar development on the other sides of Junction 30 roundabout. The land to the north of the junction is within the Leeds District.

8.5 Wakefield Council's Site Allocations document confirms in para 4.37 that the main purpose of the Green Belt in Wakefield district is to keep land open and free from development, to maintain the character and identity of individual settlements and make a clear distinction between town and country. Para 4.41 goes on to describe the main principles applied to the review of the Green Belt and indicates that potential sites must adjoin settlement boundaries shown on the proposals map and that isolated sites away from identified settlements have not been considered. Potential sites have apparently been assessed against the role and function of the Green Belt set out in PPG2, particularly the prevention of settlements from merging, and protection of the character and setting of historic settlements. Leeds City Council contend that the proposed allocation currently serves the Green Belt purposes of preventing neighbouring settlements from merging into one another, checking unrestricted sprawl of large urban areas, and safeguarding the countryside from encroachment. In addition the land clearly fulfils the Green Belt objective of securing nature conservation interest given that the Site Allocations Plan identifies part of the site as a Wildlife Habitat Network. The proposal is therefore contrary to policy as set out in PPG2. It is emphasised that the Green Belt take is far in excess of the 33.28 ha allocated in the draft Site Allocations document.

8.6 Location of development

8.7 The Wakefield Core Strategy whilst identifying a need for more land for warehousing and distribution is clear that there is a substantial existing supply of employment land sufficient to accommodate likely take up to 2021. In looking for additional land the Core Strategy (CS1) sets out the broad spatial framework for the location and scale of development. It identifies that most employment development will take place within urban areas taking advantage of existing services and high levels of accessibility with the largest amount of development located within the Sub-Regional City of Wakefield. It also identifies a priority order for identifying land for development with previously developed land within settlements first priority, followed by other infill sites and then suitable extensions to the relevant settlement.

8.8 Paragraph 8.20 of the Core Strategy acknowledges that warehousing is not usually suited to locations within densely built-up urban because of the large amounts of land needed and HGV movements but also states that *"every opportunity needs to be taken to allocate sites which are suitable for this type of use in sustainable locations. In the first instance, best use will be made of brownfield sites on the edge of existing urban areas, which are close to existing housing [and] are accessible by public transport."*

8.9 The table under paragraph 5.14 of the Core Strategy identifies Stanley/Outwood (the nearest settlement to the proposal site) as an urban area but the proposed development is not well related and therefore does not represent an appropriate sustainable extension to Stanley/Outwood.

8.10 Scale and impact of development

8.11 Officers are particularly concerned about the scale of the development and potential impact of the proposal on nearby settlements in Leeds district.

- 8.12 There is very little development within the immediate vicinity of the site therefore a very small percentage of those accessing the application site would be in a position to do so on foot or cycle. In terms of public transport there are a number of existing bus services on both the A642 Aberford Road and on Newmarket Lane itself. However, whilst the buses do serve a number of local towns and villages the only settlement with an acceptable level of service is Wakefield City Centre itself and it is unlikely that the existing bus services would be attractive enough to achieve high levels of patronage. In the circumstances it can be concluded that the majority of employees would travel by car to the site, adding to traffic on the local network in addition to HGV and other employment related traffic and creating potential highway congestion and road safety problems. In addition due to the relative isolation of the site there are no local facilities adjacent to serve employees. The unsustainable nature of the site is likely to further add to traffic movements when employees access local facilities.
- 8.13 It should be noted that Leeds City Council itself promoted significant employment development around J30 M62 in early versions of the Leeds Unitary Development Plan in 1992 and 1993. However, Leeds City Council ultimately accepted the UDP Inspector's recommendation that this was an inappropriate location for employment development.
- 8.14 Finally, para 8.3 of the Site Allocations document identifies that Wakefield's economy is inextricably linked with that of the wider Leeds City region and needs to take full advantage of opportunities presented by the continued growth of the Leeds economy. Aire Valley Leeds a 1,000 hectare site to the south of Leeds is the most significant employment opportunity within the Leeds City region. This represents a more appropriate location for large scale warehousing and freight distribution linked to an urban eco settlement if a more appropriate site cannot be found within Wakefield district.
- 8.15 In addition, there are employment sites in Leeds District has the following sites which are available now or in the short term where plots of this size could be offered, as follows:

LOCATION	SITE AREA
S/O SKELTON GRANGE PWR STN LS9	26.70
BELL WOOD SITE (E4:9) OFF PONTFRAC LANE LS9	59.92
B2/B8 ELEMENT SKELTON MOOR FARM PONTFRAC LANE LS9	33.06
Ph2 HAWKS PARK NORTH NEWHOLD ABERFORD ROAD GARFORTH	16.80
Ph1 WAREHOUSE HAWKS PARK NORTH NEWHOLD ABERFORD ROAD GARFORTH	7.25

- 8.16 If sites of 5 ha plus are considered, which could offer c 20000 sq.m. (220k sq.ft.) this adds in two more

HUB62 BRUNTCLIFFE ROAD MORLEY LS27	5.94
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Therefore, it comes down to four sites that would be impacted by the proposed scheme. Of these, it would be the Bellwood, Skelton Moor and Skelton Grange sites that feature most prominently in Leeds' regeneration ambitions in AVL.

Highways

- 8.15 Highway Officers still have concerns regarding the impact the proposed development will have on Leeds' highways and do not consider it fully addresses concerns previously identified. As a result, it is considered that the proposal could not be supported as currently submitted and the following issues still need to be resolved:

Parking

- 8.16 The applicant has stated that they would not be opposed to extend the parking restrictions to meet Leeds Highways Officers' suggested distance of 2km around the stadium on match days and have also stated their intention to promote a HGV ban on Newmarket Lane. However, bearing in mind the following concerns Officers have about the parking for the proposed employment site, as well as the stadium, it is recommended that the time period of any proposed waiting restrictions should be extended to cover the operational times of the employment site to ensure that all roads within 2km of the development site are protected from potential road safety/amenity problems created by overspill parking from the proposed employment sites and not just on matchdays or in relation to events at the stadium.
- 8.17 As a result, it should be conditioned that a Traffic Regulation Order restricting parking on all the roads in Leeds within 2km of the Development site together with the proposed HGV ban on Newmarket Lane should be promoted. If Wakefield are minded to approve the application these measures will protect Leeds roads within this area from any potential overspill of parking.
- 8.18 As Members may be aware, there are existing sites in Leeds which are currently experiencing problems with overspill parking and a condition to promote waiting restrictions will address these issues at this location.

HGV's

- 8.19 A Freight Management Plan is proposed as part of the reserved matters, which states that all HGV's will access the site via the M62. However, this does not specify how this will be managed. Whilst, it is appreciated that this is an outline application and the applicant has stated that this could be conditioned to be dealt with at the reserved matters stage, it is considered that the management of HGV's to and from the development site is a fundamental issue regarding access and, as such, should be addressed as part of the outline application. A framework management plan should be provided at the outline application stage which sets out the general methods proposed and explains how it will ensure that all the HGV's will use the M62 and what measures are available to prevent traffic from this site using other less suitable routes.

Sustainability and Phasing

- 8.20 Bearing in mind the rural location of the site, the application does not adequately address sustainable travel to the site but relies strongly on using the number of parking spaces to limit car travel. The parking provision for the proposed development is based on the target modal splits to be achieved as part of the Travel Plan, resulting in 70% of the maximum parking spaces permitted within the UDP Guidelines for the business uses. It is understood that this is now to be reduced further following discussions with the Highways Agency.
- 8.21 Both PPG13 and PPS4 suggest that the use of parking policies within a 'package' of considered planning and transport measures can be effective in reducing the reliance on the car for travelling to work. However, to use the parking provision as the only way of enforcing the Travel Plan modal splits without providing or considering any other measures (e.g. upgrading bus routes, linking the sites to railway stations, etc) could result in overspill parking taking place on the surrounding highway network, to the detriment of road safety, if the targets modal splits are not met.
- 8.22 The proposed Travel Plan states that should the targets not be met after 24 months then future development will be prohibited. However, it does not mention specific quantities of development. The Applicant states that a maximum scale of B1 and B8 is currently being sought and that the actual scale of the development and phasing would be fixed during the reserved matters stage and may be lower than currently being applied for. However, it is considered that a phasing plan should be provided as part of the outline application to ensure that the targets highlighted within the Travel Plan are being met before the next stage of the development can start. Set quotas should be agreed now as part of the planning application to provide comfort that the next stage of development cannot start if the traffic generations are higher than expected and the targets set within the Travel Plan are not being met.

9.0 CONCLUSION

- 9.1 In the event that Wakefield Council is minded to approve the application, it is proposed to raise a strong objection to the scale and impact of the wider development on the Green Belt and transport network in Leeds District. It is recommended that a copy of these representations be sent to the Government Office and that a request is made for the Secretary of State to call-in the application for determination.

Background papers:

Planning application 10/00225/OUT



DENOTES
OUTLINE
PLANNING
APPLICATION
RED LINE

DENOTES AREA
OF LAND TO BE
EXCLUDED FROM
OUTLINE
PLANNING
APPLICATION



PROJECT: MARKET GALLERY,
JUNCTION 50, I-94

DATE: 02/02/10
REVISION: JLO
AG: JLO
REVISION: 2009-03/05/04
DWG: 0411

SCALE: 1:2500
DRAWN BY: JLO
AG: JLO
REVISION: 2009-03/05/04
DWG: 0411

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